

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, August 25, 2014

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Turner, to approve the August 11, 2014 minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

We have received just over \$8,000 in donations for the 4-H auction fundraiser that will allow us to purchase meat for the Food Pantry. The goal is \$10,000 by September 24th.

Most of the road damage from the heavy rains has been repaired. Thank you to Storey Brothers for responding quickly to repair a very bad section of Middle Road.

III. PUBLIC DISCUSSION

Alberta Haynes of Harris Road thanked Chairman Gruber, Councilor Stiles and Councilor Turner who voted yes for the METRO project presented at the last meeting. She is in favor of bus transportation and would use it if it were available in Cumberland.

IV. LEGISLATION AND POLICY

14 – 144 To hear a report from Siemens re: Town owned building energy audit.

Tom Seekins from Siemens reported that Siemens tried to come up with a creative way to utilize the savings by switching the Town owned buildings to natural gas. They conducted a 90 day energy audit of Town buildings searching for any way to reduce energy consumption. They found that the propane rate that the Town currently pays is very low, which made savings come in less than was anticipated, making it hard to capture efficiency savings. The plan is a good one and pricing (of new boilers) is very competitive.

Town Manager Shane said that the Town has already converted to energy efficient systems, so as those systems get to the end of their useful life, we will know what to expect for energy savings going forward. The report that Siemens presented is a great infrastructure management tool for the Town in switching over to natural gas.

Councilor Stiles asked if switching the lighting, particularly the outdoor lighting to LED was considered.

Town Manager Shane responded that it was considered, but it became a little less attractive once the rebates started to disappear. The LED lighting would pay for itself after a period of time. If we can get back to a 2-4 year pay back, we will look closer at that and put it through the budget process.

Councilor Storey-King asked if there would be a bid process on the infrastructure.

Town Manager Shane responded that Siemens would go through the process to get the best price possible.

14 – 145 To hold a Public Hearing to consider and act on authorizing bonding of \$600,000.00 for Senior Housing roofs and heating systems.

Councilor Stiles explained that the Housing Authority met and approved the bonding. Since their meeting, it has been discovered that there may be things that we can do to improve our position and possibly save the Town some money. He requested that this item be tabled until the Housing Authority can meet again.

Motion by Councilor Stiles, seconded by Councilor Storey-King, to table this item.

VOTE: 7-0 UNANIMOUS

14 – 146 To receive a Certificate of Sufficiency of Petition from the Town Clerk.

Town Clerk, Tammy O'Donnell certified that she has examined the petition instrument filed with her between July 16th and August 13th, 2014 pursuant to the Cumberland Town Charter and State of Maine Election laws, and have found them to contain a total of 614 valid signatures. 599 signatures were required for the purpose of submitted to a referendum vote the following question: "Do you support the following Town Council action on July 14, 2014, Adoption of Ordinance approving Contract Zone amendment for property located at 3 Longwoods Road, Cumberland, Maine, to create two lots and to convey to the Town of Cumberland a Right of Way from Longwoods Road to Harris Road?" That question will be on the November 4th ballot.

Motion by Councilor Bingham, seconded by Councilor Edes, to accept the Town Clerk's Certificate of Sufficiency of Petition.

VOTE: 7-0 UNANIMOUS

14 – 147 To set a Public Hearing date (September 8th) to consider and act on setting a November 4, 2014 Special Municipal Override Referendum Election date.

Motion by Councilor Turner, seconded by Councilor Bingham, to set a Public Hearing date of September 8th to consider and act on setting a November 4, 2014 Special Municipal Override Referendum Election date.

VOTE: 7-0 UNANIMOUS

14 – 148 To hold a Public Hearing to consider and act on no increase in sewer user fees for FY'15.

Motion by Councilor Copp, seconded by Councilor Storey-King, to authorize a 0% increase in sewer user fees for FY'15.

VOTE: 7-0 UNANIMOUS

14 – 149 To hold a Public Hearing to consider and act on a Mass Gathering Permit for Binnie Media's Maine Ultimate Fall Yard Sale to be held at the Cumberland Fairgrounds on October 11, 2014 from 9:00 a.m. to 2:00 p.m.

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

Chairman Gruber opened the Public Hearing.

Public discussion: None

Chairman Gruber closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Edes, to authorize the Mass Gathering Permit for Binnie Media's Maine Ultimate Fall Yard Sale to be held at the Cumberland Fairgrounds on October 11, 2014 from 9:00 a.m. to 2:00 p.m.

VOTE: 7-0 UNANIMOUS

14 – 150 To hold a Public Hearing to authorize the Town Manager to enter into a labor contract agreement with the Public Services/Val Halla Employees Association for the period of July 1, 2014 – June 30, 2017.

Town Manager Shane explained that the Finance Committee has reviewed the contract and voted unanimously to approve it.

Chairman Gruber opened the Public Hearing.

Public discussion: None

Chairman Gruber closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Storey-King, to authorize the Town Manager to enter into a labor contract agreement with the Public Services/Val Halla Employees Association for the period of July 1, 2014 – June 30, 2017.

VOTE: 7-0 UNANIMOUS

14 – 151 To hear a report and discuss a possible advisory referendum for November re: the Rural Residential Zones in Town.

Councilor Storey-King reported that the Land Use Committee has developed a resident survey per the Committee charge, but the Committee is not in favor going forward with the non-binding referendum question as well. The committee feels that they should not do both as it will be confusing for residents.

Councilor Bingham agreed. He feels that the voters will not have enough information to make an intelligent decision. The Council and Committee will get more information from the survey results.

Councilor Stiles agreed with Councilor Bingham, adding that if people don't know what they are voting for, that is a good indication that we may be asking the referendum question too early.

Councilor Copp said that the Council decided on the non-binding referendum to find out how the entire Town feels. Couldn't we do both?

Councilor Turner would like to see a simple Town vote.

Chairman Gruber asked Councilor Storey-King to clarify her recommendation before voting on the motion.

Councilor Storey-King said her recommendation is to move forward with the survey and hold off on the referendum. The Land Use Committee does not feel that the referendum is necessary.

Councilor Copp said that the survey will educate the public enough to affect how people will vote. He would feel better having direction from 70% of the voters in Town.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to accept the recommendation of the Land Use Committee Liaison, Councilor Storey-King, regarding the Rural Residential Zones.

VOTE: 5-2 (Copp and Stiles opposed) MOTION PASSES

V. NEW BUSINESS

Councilor Copp – he was approached by a West Cumberland resident about the possibility of adding toddler swings at the new playground in West Cumberland.

Town Manager Shane explained that the swings are very expensive and if we can accommodate the request, we will do so. We will look into it and bring it through the budget process.

Councilor Storey-King – school has started for the teachers. The students start on Wednesday of this week.

Councilor Edes – he would like to discuss zoning on Route 9 at a future Council meeting. There is an active farm on Route 9 that is bothersome to some of the neighbors. It's time that the Council looks at doing something different in that zone.

Councilor Bingham – speaking of back to school, he has noticed how large the backpacks that kids carry are these days.

Chairman Gruber – speaking of backpacks, there is a food pantry program that gives backpacks and school supplies to children who need them.

Soccer is in full swing now. It's good to see all those kids out playing.

The Food Pantry continues to do well. Thank you to all the volunteers and those who donate supplies and money to the Food Pantry.

Councilor Stiles – thank you to all those who donated to the 4-H auction fund to purchase meat for the Food Pantry. Everyone should attend the fair to watch the auction. It is a worthwhile cause and a lot of fun to watch.

Councilor Turner – a reminder to the public that people tend to drive faster on newly paved roads. Just because the roads are repaired and paved doesn't mean you can drive faster.

Town Manager Shane – the annual Labor Day Soccer Tournaments will be going on at Twin Brook this weekend. It is a big event, with over 140 teams participating from Maine, New Hampshire and Massachusetts.

The natural gas project will be headed toward the Foreside now. The project has been going very well.

There will be a police presence and new traffic patterns around the middle school to assist with the increased traffic due to the addition of students there.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 8:40 p.m.

Respectfully submitted,

Brenda L. Moore
Council Secretary