

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, September 14, 2009

7:00 p.m. Call to Order

I. APPROVAL OF MINUTES

August 24, 2009

II. MANAGER'S REPORT

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

09 – 146 To hear a presentation from the Maine Forest Service re: Wildland Urban Interface.

09 – 147 To hear a report from Gorrill-Palmer Consulting Engineers re: the Route 88 shoulder and drainage project and public informational meetings.

09 – 148 To hold a Public Hearing to consider and act on a permit request by the Greely Football Boosters Club to hold a bonfire at the Twin Brook Recreation Area on Thursday, *October 29, 2009*, and to allow the use of charcoal to heat food.

09 – 149 To hold a Public Hearing to consider and act on adopting a Post-Construction Stormwater Management Ordinance.

09 – 150 To hold a Public Hearing to amend the Cumberland Traffic Ordinance to authorize a 3-way stop at the intersection of Pleasant Valley and Valley Roads.

09 – 151 To appropriate funds from undesignated fund balance to complete Town Hall roof repairs and sidewalk paving at the Senior Housing complex.

09 – 152 To forward amendments to Section 414 - Home Occupations and Home Based Occupations of the Cumberland Zoning Ordinance to the Planning Board for Public Hearing and recommendation.

09 – 153 To forward amendments to Section 400 – General Regulations, Sub-Section 402.3, of the Cumberland Zoning Ordinance to the Planning Board for Public Hearing and recommendation.

09 – 154 To forward the Cumberland Shoreland Zoning Ordinance to the Planning Board for a Public Hearing and recommendation re: housekeeping comments received from the Department of Environmental Protection.

09 – 155 To set a Public Hearing date (*October 12th*) to repeal the current Animal Control Ordinance, and replace with revised Animal Control Ordinance.

09 – 156 To set a Public Hearing date (*October 12th*) to consider and act on amendments to the Cumberland Mass Gathering Ordinance.

09 – 157 To hear a report from the Nominating Committee re: committee vacancies.

09 – 158 To set a workshop date of *October 12th* to meet with the Cool Cities Committee re: windmills.

09 – 159 To consider and act on the cancellation of the *September 28, 2009* Town Council meeting.

V. NEW BUSINESS

VI. EXECUTIVE SESSION – pursuant to Title 36 M.R.S.A., § 841, re: Poverty Abatement Requests for property identified as Map U12/Lot 8.

VII. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, August 24, 2009

**5:30 – 6:00 p.m. WORKSHOP to review Comprehensive Plan format with Town Planner, and
6:00 – 7:00 p.m. to review and discuss the Town Center Advisory Committee Charge & the
Small Wind Energy System Ordinance**

ROLL CALL – Chairman Copp, Councilors Turner, Perfetti, Storey, Porter, Moriarty and Stiles.

I. APPROVAL OF MINUTES

August 10, 2009

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

VOTE: UNANIMOUS PASSAGE 6-0 (Councilor Perfetti abstained)

II. MANAGER'S REPORT

III. PUBLIC DISCUSSION

Heidi Sloan, 59 Pleasant Valley Road requested the relocation of the existing stop sign from Pleasant Valley to Valley Road. Ms. Sloan has lived on Pleasant Valley Road for three years and speeding at that intersection has always been an issue. With the removal of the stop sign at Pleasant Valley Road, “It’s made it a straight away. It’s become the Cumberland 500.” The hill is great for the kids but “there are no boundaries” now to prevent danger to children and the previous stop sign on Pleasant Valley helped prevent danger in the past. “There’s going to be a fatality.” The Town Manager stated he would place this request on the next council agenda. He added caution though that “Stop signs are not used to slow traffic.” However, Ms. Sloan raises a valid point. A three-way stop sign would “technically pass a straight face test.” The traffic ordinance will need to be amended in order to add a stop sign. Councilor Moriarty noted that a stop sign on Pinewood was placed to “interrupt” a long straightaway.

Motion by Councilor Moriarty, seconded by Councilor Stiles, to add this request to the next council meeting agenda.

VOTE: UNANIMOUS PASSAGE 7-0

At this time, the Town Manager recognized Sarah Trent, Forecaster reporter covering Cumberland, noting she has covered Cumberland for over a year and is moving to San Francisco. He and the town council offered their best wishes and presented Sarah with a bouquet of flowers.

IV. LEGISLATION AND POLICY

09 – 137 To hold a Public Hearing to consider and act on authorizing the demolition of an unsafe structure located at 74 Valley Road, Tax Map R08A/Lot 16.

Chairman Copp opened the item to public hearing and noted the council must adopt finding of facts to regard the building unsafe before authorizing demolition of the structure. Chairman Copp articulated six findings of fact prior to the council deliberation and hearing. Councilor Moriarty requested Directions Operator Chris Bolduc to address each of the six findings and express his concurrence and support of each finding. Mr. Bolduc explained the residence burned in February 2009. The insurance proceeds were used to pay down the mortgage rather than repair the structure. The title owner has no plans or the means to repair the structure. Both Vessel Services and the mortgage holder view this property “as a liability and not an asset.” He described the town of Cumberland as “really the only

stakeholder” due to our lien. Councilor Moriarty confirmed with Mr. Bolduc that the roof has collapsed; there has been substantial damage to the walls; extensive window damage; nothing remains of the garage; the structure is unsecured and subject to further damage; no fencing exists to prevent anyone from entering the structure; and what exists is uninhabitable. The in-ground pool is empty and unsecured.

Public comments: Bill Richards, 6 Sturbridge Lane, thanked the council for attending to this matter. “This is a pretty serious issue...especially with respect to children on that property.” Ms. Heidi Sloan, who lives across the street from the property, agreed the house is a danger to children who can enter directly through the basement.

Motion by Councilor Stiles, seconded by Councilor Moriarty that based on the testimony of Operations Director Chris Bolduc, the council finds that a significant portion of the roof over the single-family home has collapsed.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Turner, that based on the testimony and photos presented by Operations Director Chris Bolduc, the council finds that there has been substantial damage to the walls of the single-family home, with one wall almost entirely gone.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Storey-King that based on the testimony of Operations Director Chris Bolduc, the council finds that many windows in the single-family home have been damaged and some have fallen out of their frames.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Moriarty, that based on the testimony and photos presented by Operations Director Chris Bolduc, the council finds that little remains of the garage structure other than some framing.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Moriarty that based on the testimony of Operations Director Chris Bolduc, the council finds that the structures have not been secured and are subject to further damage by the weather.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Storey-King that based on the testimony of Operations Director Chris Bolduc, the council finds that because the structures remain open, nothing prevents someone from entering them, which presents an unsafe situation.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Turner that based on the testimony of Operations Director Chris Bolduc, the town council determines the finding that the single-family home is not habitable due to the damage from the fire. The buildings have not been inhabited since the fire and their exterior and interior conditions continue to deteriorate.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Storey-King that based on the testimony of Operations Director Chris Bolduc, the council finds that in addition to the damage to the structures, there is an empty in-ground swimming pool on the property. The pool is not secured by a fence, as required by 22 M.R.S.A. §1632. This condition presents an additional public safety concern since the property is also not secured and anyone can access the area where the pool is located. The Town Manager expressed his thanks to Mr. and Mrs. Coppersmith for their cooperation and assistance.

VOTE: UNANIMOUS PASSAGE 7-0

Councilor Moriarty requested the chair recite paragraph number eight of the written findings of fact. A motion was then made by Councilor Moriarty, seconded by Councilor Stiles, as follows: The property at 74 Valley Street is described as Lot 16 on Tax Map R 08A, a copy of which is on file at the Cumberland Town Hall, and is more particularly described in the deed from Esther Corcoran to Rhonda Lee Corcoran and Michael R. Coppersmith, dated April 7, 1995, and recorded in the Cumberland County Registry of Deeds in Book 11882, Page 312, with further reference to warranty deed recorded in said Registry in Book 11056, Page 292.

Based upon the above findings, the Cumberland Town Council concludes that the premises located at 74 Valley Street is structurally unsafe; unstable; unsanitary; constituting a fire hazard; unsuitable and improper for the use or occupancy to which the buildings have been put; constituting a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment; and otherwise dangerous to life and property within the meaning of 17 M.R.S.A. §2851 and beyond repair.

These findings and conclusions shall be attached to the Demolition Order dated August 24, 2009.

VOTE: UNANIMOUS PASSAGE 7-0

At this time, Chairman Copp requested Councilor Moriarty to read the document titled Order of Demolition Pursuant to 17 M.R.S.A. §2851-2859. After the entire order was read, town attorney Ken Cole recommended the council add the secured creditors noted in number two of the findings of fact to the first paragraph of the order.

Motion by Councilor Moriarty, seconded by Councilor Stiles, to approve the Order of Demolition Pursuant to 17 M.R.S.A. §2851-2859 (as shown below).

Motion by Councilor Moriarty, seconded by Councilor Storey-King, to amend the order to add the secured creditors as recommended by the town attorney (creditors added included: Household Finance Corporation II, State of Maine Department of Human Services, Division of Support Enforcement & Recovery, and Vessel Services, Inc.

VOTE: UNANIMOUS PASSAGE 7-0 (amendment)

VOTE: UNANIMOUS PASSAGE 7-0 (Motion as amended)

**TOWN OF CUMBERLAND, MAINE
TOWN COUNCIL**

**Re: Premises at 74 Valley Road, Cumberland, Maine
ORDER OF DEMOLITION PURSUANT TO 17 M.R.S.A. §2851-2859**

Notice having been given to Thomas W. Harville, T.D. Banknorth (formerly known as Peoples Heritage Bank, N.A.), Walter Hanstein, Esq., Household Finance Corporation II, State of Maine Department of Human Services, Division of Support Enforcement & Recovery, Vessel Services, Inc., and Potter Oil Co., Inc., and all other persons having an interest in the premises situated at 74 Valley Road in Cumberland, Maine, described as Lot 16 on Tax Map R08A, a copy of which is on file at the Cumberland Town Hall, and more particularly described in the deed from Esther Corcoran to Rhonda Lee Corcoran and Michael R. Coppersmith, dated April 7, 1995, and recorded in the Cumberland County Registry of Deeds in Book 11882, Page 312, with further reference to warranty deed recorded in said Registry in Book 11056, Page 292;

A hearing having been duly held by the Town Council in the Town Council Chambers in Cumberland Town Hall on August 24, 2009; and

The said premises having been adjudged to be structurally unsafe; unstable; unsanitary; constituting a fire hazard; unsuitable and improper for the use or occupancy to which they have been put;

constituting a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment; and otherwise dangerous to life and property within the meaning of 17 M.R.S.A. §2851 and beyond repair, for the reasons set forth in the attached findings and conclusions;

Now, therefore, it is hereby **ORDERED** that the structures located on the premises know as Tax Map R08A, Lot 16, all as more fully described above, be removed within 45 days from the date of this Order, that the removal comply with all State and local requirements, and that the premises be left in a safe and sanitary condition or that the nuisance be abated in a manner satisfactory to the Town within 30 days from the date of this Order;

It is further **ORDERED** that the Town Clerk cause attested copies of this Order to be served upon the persons above-named as required by law;

It is further **ORDERED** that, if this Order is not complied with, then the Town Manager is authorized to cause the removal of the said structure described herein; and

It is further **ORDERED** that a lien be placed on the premises described as Tax Map R08A, Lot 16, and located at 74 Valley Road, for all expenses, as defined in 17 M.R.S.A. §2853, incurred by the Town in connection with the removal of the said structure and/or the abatement of the nuisance.

Dated: August 24, 2009

09 – 138 To forward the Cumberland Small Wind Energy System Ordinance to the Planning Board for review and recommendation.

The Town Manager requested tabling this item to September.

Motion by Councilor Stiles; seconded by Councilor Turner, to table.

VOTE: UNANIMOUS PASSAGE 7-0

09 – 139 To hold a Public Hearing to authorize the Town Manager to request from MDOT a reduction of the speed limit on Orchard Road, Bruce Hill Road, and Whitney Road.

The Manager presented slides showing posted speed limit signs on Bruce Hill Road, Whitney Road and Orchard Road. The most recent posted speed limit was 35 mph and the newest posting is 40 mph. Bruce Hill Road has rolling hills with a “lot of driveway” entrances. Orchard Road has sharp turns and curves and Whitney Road is fairly narrow with curves and an orchard in one area. According to a stopping distance chart identifying the breaking distance of a car traveling 35 mph, it would require 129 feet of stopping distance for reaction and another 118 feet to stop. “We’re finding that 80% of travelers will comply within 5-7 mph of the posted speed limit.” Increasing the speed limit cannot be supported by the geometrics of any of the three roads. While the new postings are being challenged by the town, the manager has authorized placement of “advisory speed signs” stating “congested area ahead” with an advisory speed limit of 35 mph. “That’s really a stop gap measure” until MDOT re-evaluates the new speed limit. In the area of the orchard, the town has placed an advisory 25 mph sign and crosswalk signs. He urged the council to send a request to MDOT for a reduced speed limit to 30 mph on all three roads. He does not expect to receive a final determination until March or April 2010.

Chairman Copp opened the item to public comment. Erin Pearce, Orchard Hill Farms, Orchard Road, thanked the manager for the crosswalk in front of her orchard. Apple season includes children and safety is a concern. She believes the number of children should be a consideration in addition to the number of homes in the community and area. Rick Scott, Orchard Road, thanked the council for the placement of advisory speed limit signs. “I do see that the new signs... would present a hazard to the kids in the neighborhood.” He noted that these roads have restrictive site lines and a wooded nature

that reduces the notice of children in the area. Julie Rosenthal, Bruce Hill Road, said she “couldn’t even believe it” when she saw the new signs. Horses travel back and forth all day long across Bruce Hill Road from the fairground. Mike Arsenal, 8 Carrie Dive, thanked the town and noted that the roads do not have bike paths. Pedestrians and bike riders “are in the road. It’s a dangerous place.” The Chairman noted the emails received prior to the meeting. “It really is way too fast for that road. The stopping distance is not there” in his opinion. “We will do whatever we can.” Councilor Perfetti asked whether the advisory signs may remain regardless of the MDOT final position. Chief Charron addressed the question by stating that his officers cannot enforce advisory speed limits. However, if the conditions do not warrant 45 mph “we can always issue a summons for imprudent speed.”

Councilor Moriarty asked when MDOT assessed these roads and recommended a 45 mph speed limit. The initial evaluation was made over 10-15 years ago. Councilor Stiles asked if there is recourse beyond MDOT. “We could appeal it to the state traffic engineer.” Councilor Perfetti questioned how this is any different than the Greely Road residents’ request of last year and stated he would argue that the site distances on Greely Road are not as bad as some of the areas along these roads. Councilor Porter noted there is always a concern that MDOT will “go in the opposite direction.” This one is so egregious “I don’t see any down side.”

Motion by Councilor Storey-King; seconded by Councilor Turner, to authorize the Town Manager to request from MDOT a reduction of the speed limit to 35 mph on Orchard Road, Bruce Hill Road, and Whitney Road.

VOTE: UNANIMOUS PASSAGE 7-0

09 – 140 To hold a Public Hearing to consider and act on a Mass Gathering Permit and Victualer’s Licenses for the Cumberland Fair, September 27th – October 3rd, 2009 at the Cumberland Fairgrounds.

Fairgrounds President Bruce Flanigan informed the council he has provided a list of vendors and is adding new vendors daily. “As we get them we will immediately process them and turn them over” to the Town Clerk. He thanked the clerk for simplifying the victualer application process. No public comments received. The Town Manager requested information on events scheduled for the fair. Mr. Flanigan noted that Chairman Copp’s son, Ben Copp, will be a featured rider in the Ray-Vettes snowmobile jumper show. “Our expectations are extremely high.” Many of these participants have participated in the X-games. This show is an addition to the Wednesday night feature. Councilor Porter asked if recycling areas are planned for the fair. Mr. Flanigan explained there will be identifiable recyclable containers “all throughout the fairgrounds.” The containers have already been delivered and will be clearly identifiable.

Motion by Councilor Porter, seconded by Councilor Moriarty, to approve a Mass Gathering Permit and Victualer’s Licenses for the Cumberland Fair, September 27th through October 3rd, 2009 at the Cumberland Fairgrounds.

VOTE: UNANIMOUS PASSAGE 7-0

09 – 141 To hear annual report from the Police Chief re: Cumberland crime statistics.

Police Chief Charron provided his annual report showing crime statistics for Cumberland. His report was dedicated to Officer Wayne Buhelt, Chief Richard Anderson (the town’s first full-time Chief) and “Sham,” the first trained police K-9 in the state of Maine. The department received \$17,000 in grant funds this year supporting the acquisition of seatbelt, speed safety, laser speed gun, and surveillance technology equipment. The Greely High School Resource Officer position remains for FY ’10 “thanks to the collaborative effort with MSAD 51.” Police activities for 2008 & 2009 included issuing and processing adult and juvenile alcohol/drug offenses - both possession and operating offenses. Assaults are down from 2008. Thefts increased and include aggravated thefts associated with

burglaries. Accidents were also down. Cumberland Patrol Officers know they are expected “to be visible in the community...that’s part of our philosophy.” Alarm call numbers involved many calls from the high school location. Animal complaints continue to increase. Assisted citizen calls increased and range from homeowners locked out of their homes or cars to non-medical general assistance. Five officers are now EMT trained. Traffic complaints are down “directly related to the enforcement efforts by the officers.” Councilor Moriarty questioned the meaning of traffic complaints. These numbers are related to calls received regarding traffic complaints, and not traffic stops. Total calls for service were up by over 2,000 calls. The Chief compared the department’s “clearance rate” to others in the county. The officers take their job very seriously in clearing violations and/or crimes. These numbers come from the state of Maine Department of Public Safety. “If you commit a crime in Cumberland, there’s at least a fifty percent chance you’ll be caught.” The department held community activities this year which included senior lunches, a Halloween party, and joint trainings with Fire/EMS. In response, Councilor Perfetti commented that many parents of young children are afraid of “stranger danger” and recommended this concern as a topic for lunch discussion. Councilor Stiles asked about tasers. The Chief stated tasers provide the officers with another level of response to critical situations that easily escalate out of control. The department has three tasers signed out on each shift and seven officers have been certified for use. Councilor Storey-King commented that tasers are being used effectively as a deterrent to certain behaviors. She added that she enjoyed reading through the summaries provided for each officer, noting that an officer expressed concern regarding locating residences. She asked if the department utilizes a gps to locate properties. The Chief expressed concern with the unreliability of these systems. He has asked the SRO officer to work with youth offenders to create a list of unnumbered residences. Chairman Copp stated he hears often while towing vehicles that the town has a reputation for a strong presence and thanked the Chief.

09 – 142 To establish a charge for the Town Center Advisory Committee.

The council discussed the original committee charge in workshop earlier this evening and recommended a revised charge. The charge is as follows:

**CUMBERLAND TOWN COUNCIL CHARGE
TO THE CUMBERLAND TOWN CENTER ADVISORY COMMITTEE**

The Cumberland Town Center Advisory Committee shall consist of up to ten Cumberland residents appointed by the Cumberland Town Council to provide advice and recommendations on possible zoning and related changes on the Route 9/Main Street corridor extending south from the Moss Side Cemetery to the intersection of Tuttle Road and Blanchard Road, to include that portion of Blanchard Road and Tuttle Road from the area of Sweetser’s Apple Barrel and the former Log Cabin extending east to the Cumberland Central Fire Station.

The Cumberland Town Council may designate liaison members to attend and participate in meetings of the Cumberland Town Center Advisory Committee.

The duties of the Cumberland Town Center Advisory Committee shall include, but shall not necessarily be limited to, the following:

- 1) Determine and assess the desires of Cumberland residents relative to the geographical area described above;
- 2) Review the history of zoning in the area described above;
- 3) Review current zoning for the area described above;
- 4) Review contract zone provisions of current zoning ordinance;
- 5) Review the Comprehensive Plan adopted in 1998 and the most recent public opinion survey completed in conjunction with the comprehensive planning process currently underway;

- 6) Review and consider current and future best practices of land use and land use planning in town centers;
- 7) Make recommendations to the Cumberland Town Council regarding zoning changes, if any, in the area described above.

The Cumberland Town Center Advisory Committee will submit a final report to the Cumberland Town Council for consideration and action no later than April 1, 2010.

Motion by Councilor Moriarty, seconded by Councilor Perfetti, to adopt the proposed charge to the Town Center Advisory Committee.

VOTE: UNANIMOUS PASSAGE 7-0

09 – 143 To set a Public Hearing date (September 14th) to consider and act on a permit request by the Greely Football Boosters Club to hold a bonfire at the Twin Brook Recreation Area on Thursday, October 29, 2009, and to allow the use of charcoal to heat food.

Motion by Councilor Stiles, seconded by Councilor Perfetti, to set a public hearing date of September 14, 2009 to consider and act on a permit request by the Greely Football Boosters Club to hold a bonfire at the Twin Brook Recreation Area on Thursday, October 29, 2009, and to allow the use of charcoal to heat food.

VOTE: UNANIMOUS PASSAGE 7-0

09 – 144 To set a Public Hearing date (September 14th) to consider and act on adopting a Post Construction Storm Water Management Ordinance.

The Town Manager requested the clarification of the ordinance “in the designated compact area.” The ordinance is required as part of our storm water management program.

Motion by Councilor Moriarty, seconded by Councilor Stiles, to set a public hearing date of September 14, 2009 to consider and act on adopting a Post Construction Storm Water Management Ordinance in the designated compact area.

VOTE: UNANIMOUS PASAGE 7-0

09 – 145 To accept a donation of \$500.00 for the Twin Brook Recreation Area and authorize the Town Manager to execute a gift letter.

The Town Manager explained that a citizen from another community has made a contribution to Twin Brook in honor of her friend and has asked that the donation be dedicated to the trail mapping.

Motion by Councilor Turner, seconded by Councilor Storey-King, to accept a donation of \$500.00 for the Twin Brook Recreation Area and authorize the Town Manager to execute a gift letter.

VOTE: UNANIMOUS PASSAGE 7-0

V. NEW BUSINESS

Councilor Turner – observed while in the Springfield Mass area that relatively speaking the condition of their roads are so much worse than ours; we are better off than a lot of areas.

Councilor Storey-King – thanked her fellow councilors for a recent round of golf; attended the 10th anniversary victory day of Mark Fortin’s business; school starts September 2nd.

Chairman Copp – received emails re: new fence at the end of Mill Road; Manager said Chris Bolduc is working with property owners to determine mutually agreeable location for the fence but the fence

is legally placed; we hope to come up with a compromise resolution; Castle Rock was paved today and expects seeding along the edges soon.

Councilor Stiles – complimented the fire dept on their excellent work in responding to the propane leak this weekend; do those tanks require periodic inspection; asked for Range Road update. Town Manager said the propane smell was noticed by a police officer who reported it to the fire department; there was a hole in the tank; there are no local inspection requirements; the event took nearly eight hours and several homes were displaced; Range Road is moving forward; retaining walls have been built; paving has been delayed by the contractor (not Grover) and he expects it to occur this Wednesday; expects contractor to meet the November 1st deadline; blasting has begun and will “get into high gear in the next couple of weeks.”

Manager Shane – he met with the new North Yarmouth Administrative Assistant and requested a joint standing meeting in the end of September; CMP is looking to begin the public hearing process re: the Middle Road power plant project which will be at the Zoning Board in September and the Planning Board in October; today is the tenth anniversary of Fire Chief Dan Small.

VI. 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 Turner, to recess to Executive Session pursuant to 1 M.R.S.A., Section 405(6) (E) re: consultation with legal counsel re: possible litigation.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 8:46 p.m.

Motion by Councilor Perfetti, seconded by Councilor Stiles, to return from Executive Session.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 9:11 p.m.

VII. ADJOURNMENT

Motion by Councilor Stiles, seconded by Councilor Moriarty to adjourn.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 9:11 P.M.