

# MINUTES

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, May 14, 2018**

**6:00 P.M. Workshop**

**7:00 P.M. Call to Order**

**6:00 P.M. WORKSHOP** with Village Green neighborhood re: salt shed, compost pad and timetable for relocation of Public Works Garage

## **7:00 P.M. Call to Order**

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

Excused: Chairman Edes

### **I. APPROVAL OF MINUTES**

Motion by Councilor Gruber, seconded by Councilor Stiles, to accept the April 23, 2018 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

Motion by Councilor Gruber, seconded by Councilor Stiles, to accept the May 8, 2018 special meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

### **II. BUSINESS INTRODUCTION**

Jeff Storey of Spring Brook Farm on Greely Road said that they have a farm store that sells beef, pork, chicken, vegetables, eggs, honey, syrup, firewood and compost. They are open from noon to 6 p.m. on weekdays and noon to 5 p.m. on weekends. They are working on growing the farm to be a much larger part of the community. He is grateful for all the community support that they receive.

### **III. MANAGER'S REPORT**

**Maine Municipal Association essay contest award presentations to Cassidy Dean and Lauren Dennen, of Greely Middle School.**

Cassidy and Lauren read their winning essays and were presented with an award from Maine Municipal Association.

#### **Food Pantry donation from Mark Stewart of the Cumberland Fire Association**

Captain Mark Stewart explained that every year, the association holds a Christmas tree sale and collects donations to the Food Pantry. This year they collected \$855 that was presented to the Food Pantry.

### **IV. PUBLIC DISCUSSION**

Melissa Gattine of Main Street said that for the past 2 weekends there has been a food truck parked and doing business out front of Louie's restaurant. She spoke to the Town Manager because she was concerned that this was not a permitted use on Main Street. The Town Manager advised her that it was not a permitted use and he had a conversation with the owner of the restaurant, but then the food truck came back the next weekend. The Town Manager was again very responsive when she called him, but then they moved the food truck into Louie's parking lot and began conducting business. There needs to be a clear understanding on the part of property owners and the food trucks themselves as to where they are allowed.

Town Manager Shane said that he encouraged the food truck owners to come into Town Hall to talk to staff to work together to get them “legal”.

Bill Kenney of Friar Lane encouraged the public to vote no on the school budget. He is not against the school, he realized that the school board works very hard. He feels that they are going about their budget from the wrong direction. We are spending \$1,500 to \$2,000 per student more than neighboring Towns. He would like the school board to take another look at their budget.

Liz Ventre of Dean’s Way said that she feels compelled to address some of the comments made by the Council at their April 9<sup>th</sup> meeting, and the fact that this Council does not seem to want to work with the school board, but rather against them. The Town Charter states “The administration of all fiscal, prudential and municipal affairs of the town, with the government thereof, except the general management, care, conduct, and control of the schools of the town, shall be vested by the Town Council”. The charter also states that a Councilor shall forfeit office if he or she violates any express prohibition of the charter. She believes that several members of the Town Council may have violated express prohibition of the charter. She finds it disturbing that the Council is using its role to give themselves as citizens of this town, a greater voice than the rest of the citizens. The Town Council was not elected to use their position to have a bully pulpit for their personal use against the school board, the school budget or any other topic not related to Town business. None of the Town Council chose to attend a school board meeting or workshop during this year’s budget process. Therefore, how can the Council say that the school board did not work hard to get their budget as low as they can and that it is not a responsible budget? They haven’t done the homework. The other thing that she finds troubling is the un-researched and therefore misleading comments that have been made by Town Councilors in respect to this. One is the per-pupil cost and comparisons. These comparisons are not apples to apples and it is impossible to accurately calculate them, given the privacy policies. She is requesting that the Town Council adhere to their charter and keep their personal views on anything to do with the schools to themselves, unless asked for specifically by the School Board, and raise questions and concerns at their meetings, just as the rest of the citizens have to do.

Bert Kendall of Glenview Road complimented the Council, the Manager and staff for the excellent job that they do for this Town. He respectfully disagreed with Ms. Ventre. We elect the Town Council to be responsible for anything that goes on in this Town. The school budget is 70 to 80 percent of our total tax bill. In regard to the proposed solar array, he feels that most people would not be bothered by seeing it on the closed landfill. When you move next to a gravel pit or a closed dump, you have to expect certain things.

Robert Storey of Range Way said that he is bothered by the comments that come from the Council in regard to the Cumberland Fairgrounds, the Farmer’s Club and the residents of Bruce Hill Road. He does not understand why those residents have to get slammed repeatedly for the Farmer’s Club voting not to relocate the Town garage to the fairgrounds. The truth is that the Farmer’s Club approved to improve that land for fair use. The comments are inappropriate and inaccurate.

## **V. LEGISLATION AND POLICY**

### **18 – 063 To hold a Public Hearing to consider and act on forwarding Contract Zone Agreement amendment #5 for Heritage Village Development (formally Cumberland Foreside Village, LLC), to the Planning Board for a Public Hearing and recommendation.**

Town Manager Shane explained that this is another step in a multi-step process. This step is for the Council to forward the Contract Zone Agreement amendment document to the Planning Board for their recommendation, then it will come back to the Town Council at the end of June.

Vice-Chairman Copp opened the Public Hearing.

Public discussion: Jen Grasso of 10 Clipper Street said that she represents the homeowners of Cumberland Foreside Village. The neighborhood does not want to prevent growth, but they need to protect their investments. They would like to see more of a conceptual design from the developer and what buildings will be constructed next to their neighborhood. They would like to see some sort of transitional space between them and lot 8. They are concerned about blasting and buffering. She proposed leaving lot 5 (a wooded lot) as is and moving development to lots 3 or 4 and limit the buildings to 2 or 3 stories. They are concerned about curb cuts, safety and traffic. She hopes that the Town will strike a balance between revenue for the Town and quality of life for the residents of her neighborhood.

Bridget King of 26 Clipper Street said she and her husband moved here because they love the feel of the Town and because the Town cares about preserving itself from big, ugly buildings. Main Street is a perfect example of this. They hope that this will be the same case for lot 8. She has a background in real estate and feels that a warehouse next to their neighborhood will impact the value of their homes, especially those lots abutting lot 8 of the commercial development. She requested that the Council require a berm to be built as soon as possible to buffer lot 8 and move the berm from the beginning of the buffer to the other side of the drainage area, and a minimum of 200 feet between the neighborhood and any construction on lot 8. The berm should be as high and wide as possible with a mixture of different sized evergreens and shrubs at varied heights, and no trees used that are susceptible to brown tail moths, as that is a problem in the area. Any soil brought in should be tested for optimal tree health. Ultimately, the neighborhood does not want to see a warehouse next to them.

T.J. Bell of 20 Nautical Drive said that when they look out their back windows right now, they see a nice woodsy setting that looks and feels like Maine. They always assumed that lot 8 would be developed, but naively never thought that the tiny space between the back edge of their property and Route One would ever be developed, given the limited amount of space there. No matter how large the buffer is built, they will still be looking down on parking lots, warehouses and cars moving along Route One. He hopes that the Council will take this into consideration.

Carrie Roberts of 17 Clipper Street said that she appreciates this process and being able to be heard. The berm is very important to them. There are also concerns about blasting.

Elaine Clark said that at the joint Town Council and Planning Board meeting they had talked about a transitional area between the residential area and the commercial area. The current plan does not show this and they would like to reiterate their support for the transitional area.

Tom Foley of 29 Granite Ridge Road said that the recession made it difficult for the developer to sell the lots and it was also difficult for the Town to decide what type of business would be proper for the area. Things are picking up on Route One now and the Route One corridor is strategic to the residents there as well. We looked at the Seafax building as the gold standard as to what we should be developing on Route One. An attractive building that created jobs and was an asset to the community. We should step back and see if lot 8 can be developed into an attractive, commercial property that will create jobs with high-end businesses that will increase the tax base. All of the commercial properties on Route One have a combined tax base of approximately 15 million dollars. Neighboring towns are becoming overgrown and future development will be moving north of Portland. We are on the prime corridor that can be developed with far better used than commercial warehouses.

Vice-Chairman Copp closed the Public Hearing.

Councilor Bingham said that he appreciates the constructive input from the neighborhoods. There were a lot of valid points and the Council is sympathetic and will do everything possible in regard to buffering, limiting building height, the open area and a lot more of the detail that was discussed this evening. The Town Council will work very hard with the Planning Board and Town staff to come up with fair solutions.

Councilor Gruber said that he is tired of making amendments to this Contract Zone Agreement and he will not support it.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to forward Contract Zone Agreement amendment #5 for Heritage Village Development (formally Cumberland Foreside Village, LLC), to the Planning Board for a Public Hearing and recommendation.

VOTE: 5-1 (Gruber opposed) MOTION PASSES

**18 – 064 To hold a Public Hearing to consider and act on acceptance of a Solar Power Purchase Agreement for a solar array to be located on the former landfill site on Drowne Road.**

Town Manager Shane explained that the Town has been working on this project for a couple of years. The proposal is for an array of solar panels on the Town Forest side of the former landfill site. It will generate enough power to take care of 9 of the Town electric accounts. We have been working very closely with Eric Fitz and the Cumberland Climate Action Team on this phenomenal project.

Vice-Chairman Copp opened the Public Hearing.

Public discussion: Pete Wilson of 18 Oak Ridge Road asked if we know how long solar panels last.

Town Manager Shane responded that life expectancy of the panels is around 40 years and the inverters will need to be changed out around year 15.

Jessie Lamar Vincent of 93 Range Road said he has been a resident for 7 months and during that time he has installed solar panels at his home. All of the power at his house is now solar generated. Cumberland is a forward thinking Town and this is a step forward in righting the wrong that we are doing to our planet.

Catherine Pelletreau of 55 Drowne Road said that she is tremendously supportive of everything about this proposal except for the location. In other Maine communities that have used landfills as sites for their solar arrays, they are not right in the middle of a residential neighborhood. It is disruptive for their neighborhood, but she appreciates the effort to move it to the back of the site. She can think of a few other sites around Town where the solar panels could work. She asked the Council to work cooperatively with the residents of the Village Green neighborhood and make an effort to consider other sites.

Charles Graham of 4 Tacoma Lane said that the closed landfill is in the RR1 zone and the Town's Comprehensive Plan provides that the landfill site is to be employed as open space conservation. Open space, in our zoning ordinance is described as "a portion of a lot or site which is maintained in its natural state or planted with grass, shrubs, trees or other vegetation, which is not occupied by buildings. Unless otherwise specified, it is the intent of the zoning ordinance that any uses not specifically allowed as a permitted use or special exception use, is prohibited". He did not find any uses listed in the RR1 zone that pertain to solar facilities. Municipal use is allowed and is described as "any use or building maintained by the Town". If he understands this project, the first 6 years will not be maintained by the Town, but by the private entity that is going to build it. Won't a variance be required by the Zoning Board of Appeals before it goes to the Planning Board?

Town Manager Shane said that municipal uses are allowed in every zone and the Town Attorney has reviewed the power purchase agreement. The property will be subject to a license and easement from the Town and will be reverted back to the Town after 7 years. The Town Attorney believes it is consistent with the zoning ordinance.

Mr. Graham asked the Town Manager if the 32 acres next to the railroad tracks has been explored as a possible site for the solar array.

Town Manager Shane responded no.

Cathy O'Grady of 53 Drowne Road said that she also supports solar energy, but is also concerned about the location and disruption. She has not heard anybody mention how this would affect Drowne Road during the construction in regard to the flow of traffic.

Town Manager Shane said that these projects are put together by a fairly small crew, onsite. They erect them directly onsite and there should be no disruption to traffic.

Eric Fitz of 7 Blanchard Road said that this is not a large, commercial-type project. The panels will be delivered in batches, the crew is small, and most of the materials can be carried by hand. The reason that the landfill site was chosen and no other sites were considered, is due to the value of other parcels. It makes more sense to leave the valuable land open for other possibilities. The landfill cannot be used for any other purpose other than projects such as a solar array.

Ken Leeman of Tacoma Lane said that there are a number of residents from the Village Green community who have concerns about the way this project has been processed, but also the impact on the neighbors whose daily existence will be looking down on a solar array. It will also affect the value of their property and the amount of taxes that they pay should also be considered. The neighborhood has had a number of impacts put on them. There needs to be extraordinary thought given to site lines. There is a huge difference between a solar array and a grassy field. Perhaps a meaningful and substantial berm can make a difference.

Jane Wilson of Range Road said that the Cumberland Climate Action Team believes that approximately 80% of the Town's electricity could be generated by this project. It will likely save taxpayers 2 million dollars over 30 years. These are both amazing numbers and she has concerns that as a community if we cannot agree that this should go on a landfill, which is unusable and has no other purpose, that would be a real loss for us.

David Witherill of 5 Candlewick Lane voiced his support for the project.

Charles Graham of Tacoma Lane said that the senior housing project will be right next door to the solar array and we should think about them having to look down at it. The Town has not made a thorough exploration of other possible sites.

Tim Fallon of Harris Road said that this project is a great way to make our Town even better. He put solar panels on his roof and it was an easy financial decision that is good for the environment. He appreciates that everyone may not want to see them, but he encouraged everyone to think from the prospective that looking at solar panels is seeing a better future for our children and grandchildren.

John Law of 7 Baxter Lane said that he enjoys driving down Tuttle Road and seeing the fields and nice homes. When he enters from Tuttle Road to Drowne Road, he enters an industrial park. When he and his wife bought their home in Village Green, they were told that the Town garage would be removed with Phase 2 of the development. This has not happened and this feels like salt in the wound to this neighborhood. He is ok with the solar panels on the landfill, but he does not like the sequence. Please listen to the folks of Village Green. We need your support.

Bill Follett of 371 Main Street said that he is in the solar industry and the electricity rates in New England are going to increase as the electrical system changes. This is a hedge for the Town against future increases. He understands the concerns regarding impacts to neighboring properties, but he thinks this project can be easily screened. The solar array isn't the real issue. The real issue is that something was promised (moving the Town garage) that hasn't happened yet.

Pete Wilson of Oak Ridge Road said that he supports this project but asked why are we doing a 6-year plan with an investor instead of just doing it outright, by ourselves?

Town Manager Shane said that Denny Gallaudet of the Cumberland Climate Action Team studied this and it was almost a coin flip between the 40% reduction that we would get in year 7 and the saving of interest and cash flow, not bonding this project for 1.4 million dollars and in 6 years accumulate enough money to purchase it through a new TIF district, made more sense.

Lowell Smith of 76 Wyman Way said that his concern is the possible expansion of the project.

Town Manager Shane said phase 2 would take considerable changes in State law. There have been two legislative votes to date to not expand the solar bill. The number of accounts that we have today would have to be increased as well as the volume of electricity that could be produced.

Steve Fitzgerald of Blackberry Lane said that he has seen ReVision Energy's work and they do a clean, professional job and deserve their good reputation.

Vice-Chairman Copp closed the Public Hearing.

Councilor Bingham apologized to the Village Green neighborhood for them not being allowed to speak at the last Council meeting in regard to this project. That was a mistake that the Council was not aware of and it should not have happened. This item will be required to go before the Planning Board for site-plan review and buffering will be considered and discussed.

Councilor Stiles said that he is in favor of this project. The Council has listened to all of the information and they try base their decisions on what is in the best interest of the entire Town. Some people may come forward who do not want the Town garage moved. We've seen this happen. He feels that the positioning of the solar panels will not really destroy the view of the neighborhood.

Councilor Storey-King said that she is tremendously sympathetic to what goes on in people's neighborhood. This project won't give off any light or noise. None of those things that can be so annoying to neighbors.

Councilor Copp said that the issues seems to be value. He looks at this as lead by example. Maybe if this project is successful, the 32 acres next to Town Hall will have more value as a solar farm than it would a Public Works facility. We just don't know yet. He thanked Eric Fitz for bringing this project forward.

Motion by Councilor Bingham, seconded by Councilor Gruber, to authorize the Town Manager to execute a Solar Power Purchase Agreement as authorized by the Finance Committee in consultation with the Cumberland Climate Action Team. The solar array shall be located near the Town Forest as depicted on the attached photo.

VOTE: 6-0                    UNANIMOUS





**18 – 065 To adopt a Town Council Resolution re: 2019 M.S.A.D. 51 proposed budget.**

Councilor Turner read the resolution (see motion for resolution language).

Vice-Chairman Copp asked for public comment:

Gwen Dyer of 12 Woodside Drive said that she moved here for the community and the school district. There is a reason that our schools continually rank at the top in the State, and perhaps the county. There has been a lot of talk about value this evening. We should take that same approach with our children's education and not diminish it. These are our future community members, business owners, Town Councilors, and leaders. This comes at a price and our children's education is worth it.

Betts Gorksy has lived in Cumberland for close to 35 years. She hasn't had children in our school system for a long time, but as a community member and property owner, she benefits from living in a Town with a very high quality school system that's stewarded by a very engaged and thoughtful school board, that weighs the needs of students and the impact on taxes. She is profoundly disappointed that the Town Council has chosen to use its bully pulpit to comment on the school budget. She was surprised to hear that a few of the Council members said that it was time for a dialogue on the school budget, yet there have been numerous public meetings that the Council could have weighed in on, and didn't. She feels that the Council has simply lost touch with the critical segment of the Town's community. If the Council were more connected with the school community, she does not think that they would have chosen the comfort of their own forum to have this conversation. The right thing to do is to exercise your rights at the district-wide school meeting this week and at the ballot box in June. The Council should exercise their civic leadership and duty to the Town to serve in their stead and find those younger residents who could be more representative on the Council. She respectfully asked the Council to table the resolution or vote it down.

Councilor Turner responded that the quality of education that our kids get in this Town is more than adequate. The bottom line is, when his father taught at Greely it was also more than adequate. Over the years it has evolved and

we have more and more burdens on the school in terms of special education and other costs. One of the things that prompted this potential resolution was the refusal of the school board to look at per pupil costs based on expenses.

Pete Wilson of Oak Ridge Road said that he feels that it is appropriate for the Town Council to address the school budget. It is appropriate for any group to address it in any forum that they want to. We're talking about spending 37 million dollars and education the kids. It affects everybody and nobody should be reticent to talk about it in any forum. 3 years ago, our Superintendent gave a presentation in which he made the statement "despite a half million dollar decline in revenues, we were able to keep the growth of expenditures to a percentage" (Mr. Wilson didn't recall the exact percentage). He interrupted the Superintendent's presentation and said that declining revenues do not make expenditures go up. In the latest letter to the community, the same statement was included. There is no objective measure that is being offered to compare Greely to other schools.

Greg Wiessner of Labrador Lane said that we have an incredibly well run Town. He is trying to understand what engagement happened between the Town Council and school board prior to putting the resolution in place. He asked the Council to explain.

Councilor Storey-King said that she has regular engagement with members of the school board related to the budget.

Councilor Bingham said that he has had several engagements.

Councilors Copp and Turner said that they have had none.

Councilor Gruber said he has had very little engagement.

Councilor Stiles said that there was one joint meeting with the Council and school board that was supposed to turn into many joint meetings, which never happened.

Mr. Wiessner said that in an attempt to understand this, the school board is responsible for the school budget and the Town Council is responsible for the Town budget. It is not clear to him what the authority of the Town Council is in regard to the school budget.

Town Manager Shane said that the Town Council has no authority over the school board under the Town Charter. The resolution is exercising a request, not an order or directive, but a request to reconsider the current budget.

Jim Baillinson of Fryer Lane said that this resolution assumes that the district and school board have not already done their best at putting this year's budget together. He is worried that the resolution will blur the lines of responsibility between the Council and school board and it sets a dangerous precedent for the Council to take a position on the school budget. It also takes a step toward political trends in this country that we don't want to emulate in the Town of Cumberland. The timing of the resolution is wrong. It asks that the school board reviews its budget when it is already out for public approval. It invites a destructive process of cutting spending on the fly without the opportunity of analysis and consideration. He respectfully urged the Council to decline to pass the resolution this evening.

Liz Ventry of Dean's Way questioned what the point is of stating that 75% of the homes don't have children in the schools. It implies that those residents don't care about the school budget. The point of being part of a community and to pay for things like police and fire service, municipal golf courses, open space and schools is that we all contribute until the day that we need that service. She feels that it is disingenuous to ask the school board to go back and look at their budget if the Town Council goes back to re-look at the Town budget.

Bill Follett of Main Street said that it is not fair to attack the Town Council, who volunteer their time and who have run un-opposed for many years, because others have not volunteered to step-up. Let's work together instead of fighting.

Margaret Fenderson has lived in this Town since 1971 and wants to compliment the Town Council for making this statement for the people who have been the silent majority in this Town for a long time. We should have a good



school system, but there are 75% of the people who help pay for the school system. There are a lot more people than we think who have a hard time paying their taxes. The cost of everything is going up. In many ways education has become a sacred cow and it is almost to the point where we can't sustain it.

Carla O'Sullivan of Bayberry Lane said that what concerns her the most with this resolution is the divisive nature that it has caused. She encourages everybody to speak up if they disagree with the school budget. Everybody should be part of the community in a positive way and that is not what she is hearing. She requests that the resolution not be passed and that the Council speak as members of the community as opposed to a Town Council member.

Rick Doane of 4 Catapula Lane said that he supports the resolution and he thinks that it is appropriate. He finds it disturbing that there is a significant portion of the public that are trying to stand on positional responsibly as a reason that the Council should not do this. He feels that the Council is elected by the citizens of the Town of Cumberland to do what they can to make this a good place to live. He feels that the school board has lost its way when it comes to considering the community as a whole and feels that they have become co-opted by the various interests that they represent in a way that renders them incapable of making tough choices, and actually saying that this is the balance that we need to strike in order to achieve fiscal responsibility. The community should inform itself. He is disappointed at the lack of descent, understandable financial information that is available on the website and through the documents that the Superintendent presents. He is not sure that this school board has the capacity or the willingness to be anything other than what it is, and that is failing the community. He is hopeful that we are not talking about this same topic next year.

Tom Hindman of Ocean Terrace said that we need to keep in mind that the school board budget gets voted on twice in a public forum. In the end, residents get two bites at the apple on supporting the budget. To date, the support has been from the public. He thinks this is important to remember. He is not comfortable with the resolution and does not think that the Council should be taking a position. He does not feel that is appropriate.

Karen Campbell of 58 Stonewall Drive and member of the School Board said that she is very proud of this Town, the citizens, volunteers, students, and the work that the Town Council does. Our Aging in Place initiatives are a model for the State. She is proud of the tax abatement and other programs that we provide for our senior residents. A lot of these programs for our seniors would not happen without help from our students. She is proud of the connection between the schools and the community. She is struggling with some of the same points that were made this evening. The school budget was rolled out on March 23rd. They held meetings after that and only one of those meetings was on the same night at a Council meeting. She welcomes conversations with community members. She encouraged everyone to come to the school board meeting on Thursday evening and share their thoughts and please vote on June 12<sup>th</sup>.

Marla Chance of Dean's Way said that she is proud of the Town Council for standing up and listening to the 75%, the silent majority of this Town, who do support the school district, but also support long time members of the community who would like to see taxpayer dollars spent on other things, or saved for a rainy day.

Vice-Chairman Copp closed the Public Hearing.

Councilor Bingham said that his Council term is up next year and he encouraged anybody who wants to sit on the Town Council to run. And conversely, we need to get some people who do not have children in the school system to run for school board. He and Connie have lived in Cumberland for nearly 48 years. They bought their house in September of 1970 with money that he saved while serving in Vietnam. They have 3 adult children that went through the SAD 51 system, and they have a granddaughter currently in middle school. He has served 2, 6-year terms on the school board in the 1980's, and from 2002 to 2008. 4 of those years were as vice-chair and 2 as

chairman, and he was on the finance committee for all 12 years and chairman for several. As far as he is aware, he got along with fellow board members, staff and teachers. But, that didn't mean that they didn't have differences from time to time. He was on the initial committee for the performing arts center and he and Connie were supporters. Since 2002, when he returned to the board and until recently, he has kept up a nearly 16 year dialogue with Scott Poulin, our district finance director. They would exchange thoughts about the Town, the school district, town politics and tried to keep open lines of communication. He considers Scott to be an outstanding financial professional. He also tries to chat on an informal manner with board leadership. He has especially enjoyed his conversations with Martha Legget-Barr, Karen Campbell and Gigi Sanchez. We don't always agree, but we treat each other with respect and he thinks they consider each other friends. He tries to attend Greely High School and Middle School events, and he chaired the Lions Club meeting last week that awarded \$15,000 worth of scholarships to Greely grads. He has 2 macro issues with the budget. His first issue is with the budget in general. Over sustained time, the community cannot support continued 80 to 90 cent increases in the mil rate. Unlike Falmouth and Yarmouth, we don't have a significant commercial tax base. Part of it is geography and the other part is the unwillingness of the public to turn Route One, Main Street and Route 9 into a strip mall. We have and will continue to try to grow our commercial tax base, but it is never going to approach the level of our neighbors, so the residential taxpayer will continue to carry a substantial portion of the tax burden. Second, when the original Superintendent's budget was presented, it included a \$400,000 placeholder for insurance. When these failed to materialize, positions were added on. Speaking for himself only, he was ready to support the original budget, less those \$400,000 savings. He heard a comment the other day that the opposition to the budget was from the "usual people". The usual people are more than the few that have the courage to stand up at a public meeting. They are probably here tonight, they are probably watching and living their daily lives. These usual people renovated Greely 3 times, Wilson twice, built a new middle school, bought Twin Brook, Knight's Pond, Rines Forest and the beach. They authorized the Comprehensive Plan, made Cumberland the desirable community we live in, and they were the people who planned and approved the developments that many of you live in today. So please attend the district meeting and vote, no matter what your views are, and let's try as best as possible to be respectful of one another.

Councilor Storey-King said she is a Greely graduate who has given 34 years of her life to teaching at Greely schools. She has had conversations with Gigi Sanchez and has found Gigi very willing and open to having those conversations. She truly believes that Gigi is trying to change the tone of the board, who has in the past told her that she is never not a Town Councilor or a school teacher. She feels that in the past, she has been bullied by the school board and told not to ask questions. She has been trying to make her decision tonight based on facts. She has looked at the school operating budgets, not assuming anything else, just what we're paying to educate our children. It's higher than the districts that we compare ourselves to. We live in a community where she wants to work together to solve problems. She doesn't want to retire and go somewhere else. Our retired people are living on fixed incomes. Last year social security had a small raise that was totally eaten up by my Medicaid. We have 65 families that visit our food pantry on a regular basis. We have 160 senior citizens who collect our property tax rebate. These are real numbers. Our children are our future and they are precious, but she feels that we can do this a little bit better.

Councilor Stiles said that after many years of going to the school board and looking at their budget and not getting any personal satisfaction, he gave up. His brother lives in a different state where those over 65 do not pay school taxes. His own taxes keep going up and up. Since his home paid for he can afford it, but his children are considering leaving town because they can't afford the taxes here anymore. The continuous increases in the school budget doesn't seem to take into consideration the affect it has on our senior citizen.

Councilor Gruber said that he thinks that 90% of the community has no idea what goes on in this Town. They like the community and they love the school system. He thinks that this resolution might make them get more involved.

Councilor Turner said that his children went through the Greely school system and they are articulate, fantastic people largely in part of their Greely education. The frustrating thing is the large percentage of people in this Town who are very happy with the Town in general, but do not have a clue what is going on. They pay their taxes and live their lives, giving no thought about Town or school government, until they get their tax bill.

Vice-Chairman Copp said that he is very passionate about this Town. His business has been on the same corner of West Cumberland for 56 years. As a tax payer, his biggest concern is that the school budget is a runaway freight train, and it will only get worse. People like him will end up leaving Town. He cannot sustain the taxes in this Town. His business has gone from 14 employees down to 9, and it will only get smaller and smaller. The purpose of the resolution is to ask the School Board to take another look at their budget and this offends them.

Motion by Councilor Bingham, seconded by Councilor Stiles, to adopt the following Town Council Resolution re: 2019 M.S.A.D. 51 proposed budget:

**Whereas**, the Town Council recognizes that it is responsible for setting the Municipal Budget and that the MSAD 51 Board of Directors sets the school budget; AND

**Whereas**, the Town Council supports and values the quality of education MSAD 51 provides for the students of Cumberland and North Yarmouth; AND

**Whereas**, the Town Council recognizes that the quality of the schools attract many young families to the Town for the opportunity to raise their children in the school system; AND

**Whereas**, the Town Council is also sensitive to the fact that many residents of the Town have limited or fixed incomes that make them vulnerable to tax increases; AND

**Whereas**, the Town Council values the work of the MSAD 51 Board of Directors and seeks to continue to work collaboratively with the Board; AND

**Whereas**, recent MSAD 51 assessment increases have placed a significant burden on many members of the community; AND

**Whereas**, the average age of residents of the Town of Cumberland is nearly 51 and nearly 75% of all Cumberland households do not have children who attend schools in the District; AND

**Whereas**, the Town Council understands and is sensitive to the impacts of the loss of State Funding for Education as the Town has lost over a half a million dollars in Revenue Sharing from the State over the past five years;

**Now, therefore, be it resolved;**

For the reasons set forth above, the Town Council hereby respectfully requests that the MSAD 51 Board of Directors conduct an additional review of the MSAD 51 FY 2019 Budget Proposal to determine if there are any services or programs that could be delayed or reduced in some manner in order to lessen the impacts of the proposed school assessment to the Town of Cumberland for the upcoming fiscal year.

VOTE: 6-0                      UNANIMOUS

**18 – 066    To consider and act on a Wharfing Out Permit for 7 Ebb Tide Drive (Map U06B/Lot 11), as recommended by the Coastal Waters Commission.**

Dave Witherall, Chairman of the Coastal Waters Commission explained that the commission held a site walk and made a recommendation to raise the wharf so the Colonial Rights can be preserved and not interfere with fishing and fowling.

Vice-Chairman Copp asked if there was any public comment.

Public discussion: none

Motion by Councilor Gruber, seconded by Councilor Stiles, to approve the Wharfing Out Permit for 7 Ebb Tide Drive (Map U06B/Lot 11), as recommended by the Coastal Waters Commission.

VOTE: 6-0                      UNANIMOUS

**18 – 067    To authorize the Town Manager to execute a gift letter to A.H. Grover for work donated at the new Central Fire Station.**

Town Manager Shane said that A.H. Grover did a phenomenal job with the earth work at the new fire station. They went above and beyond the scope of work and donated even more of their labor and equipment than the \$7,600 of donated work outlines.

Public comment: none

Motion by Councilor Storey-King, seconded by Councilor Gruber, to authorize the Town Manager to execute a gift letter to A.H. Grover for work donated at the new Central Fire Station.

VOTE: 6-0                      UNANIMOUS

**18 – 068    To hold a Public Hearing to consider and act on amendments to Chapter 229 (Site Plan Review) of the Cumberland Code, as recommended by the Planning Board.**

Town Manager Shane explained that the Site Plan Ordinance is being amended so projects that contain over one thousand cubic yards of fill will be reviewed by the Planning Board. The Ordinance Committee has reviewed this and held a workshop with the Planning Board.

Vice-Chairman Copp opened the Public Hearing.

Public discussion: none

Vice-Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Gruber, to amend Chapter 229 (Site Plan Review) of the Cumberland Code, as recommended by the Planning Board.

VOTE: 6-0                      UNANIMOUS

**18 – 069    To hold a Public Hearing to consider and act on amendments to Chapter 226 (Shoreland Zoning) of the Cumberland Code, as recommended by the Planning Board.**

Town Manager Shane explained that this simply gives the authority of bridges in the Shoreland Zoning Ordinance to the Code Enforcement Officer instead of the Coastal Waters Commission.

Vice-Chairman Copp opened the Public Hearing.

Public discussion: none

Vice-Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Gruber, to amend Chapter 226 (Shoreland Zoning) of the Cumberland Code, as recommended by the Planning Board.

VOTE: 6-0                      UNANIMOUS

**18 – 070    To appoint a members to vacant Board/Committee seats.**

Public comment: none

Motion by Councilor Bingham, seconded by Councilor Turner, to appoint Jerry Benezra to the Prince Memorial Library Advisory Board and Christina Mitchell to the Parks and Recreation Commission.

VOTE: 6-0                      UNANIMOUS

**18 – 071    To hold a Public Hearing to consider and act on a Mass Gathering Permit for Maine’s Ultimate Yard Sale to be held on Saturday, June 9, 2018 from 9:00 a.m. to 2:00 p.m. at the Cumberland Fairgrounds.**

Vice-Chairman Copp opened the Public Hearing.

Public discussion: none

Vice-Chairman Copp closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Stiles, to approve the Mass Gathering Permit for Maine’s Ultimate Yard Sale to be held on Saturday, June 9, 2018 from 9:00 a.m. to 2:00 p.m. at the Cumberland Fairgrounds.

VOTE: 6-0                      UNANIMOUS

**18 – 072    To consider and act on cancelling the May 28<sup>th</sup> (Memorial Day) Town Council meeting.**

Public comment: none

Motion by Councilor Stiles, seconded by Councilor Turner, to cancel the May 28<sup>th</sup> (Memorial Day) Town Council meeting.

VOTE: 6-0                      UNANIMOUS

**18 – 073    To consider and act on moving the June 11<sup>th</sup> Town Council meeting to June 4<sup>th</sup>, swearing in newly elected Town Councilors on June 18<sup>th</sup> and keeping June 25<sup>th</sup> as a regular Town Council meeting date.**

Public comment: none

Motion by Councilor Bingham, seconded by Councilor Gruber, to switch the June 11<sup>th</sup> Town Council meeting to June 4<sup>th</sup>, swear in newly elected Town Councilors on June 18<sup>th</sup> and keep June 25<sup>th</sup> as a regular Town Council meeting date.

VOTE: 6-0                      UNANIMOUS

**VI.    NEW BUSINESS**

**Councilor Bingham** – The Deputy Fire Chief of North Yarmouth, Dick Brobst passed away recently. We extend our sympathies to his family and the residents of North Yarmouth.

**Councilor Gruber** – Councilor Bingham will be making the Memorial Day speech this year. Thank you Peter.

The food pantry received a \$20,000 grant for a walk in refrigerator/freezer.

Mornings with Friend’s will have a presentation on Wednesday at 10:00 a.m. at the Congregational Church.



**Councilor Storey-King** – She attended the Fire Department dedication. What an amazing building the new fire station is.

**Councilor Copp** – He too attended the Fire Department dedication ceremony. He is very impressed with the building.

**Councilor Stiles** – He attended the open house at the new Central Fire Station. It was a great event.

**Councilor Turner** – none

**VII. ADJOURNMENT**

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

VOTE: 6-0 UNANIMOUS

TIME: 11:00 p.m.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary