

# MINUTES

Cumberland Town Council Meeting  
Town Council Chambers

**MONDAY, September 13, 2021**

**4:30 P.M. Meeting with Avesta Housing**

**6:00 P.M. Senior Tax Relief Committee (Edes, Gruber & Segrist)**

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

Present: Councilors Copp, Edes, Foster, Gruber, Segrist, Storey-King and Vail

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

Motion by Councilor Gruber, seconded by Councilor Copp, to accept the August 23, 2021 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

### **II. MANAGER'S REPORT**

Councilor Foster said that kids are back in school, and the school is doing everything in their power to keep them in school 5 days a week. There are other schools that have had to close down or have kid's quarantine. It is our job as a community to put our arms around our kids and families. It is very hard when your kid is pulled out of school for a 2-week quarantine, and you work full time. She urged those who haven't made up their minds or haven't gotten their vaccine yet, to please do so. Our kids are not able to get a vaccination yet, so we have to do our part to keep them safe.

Town Clerk, Tammy O'Donnell administered the oath of office to:

Police Officer, Amie Owen

Police Sergeants Scott Hendee and Jacob Lachance

Deputy Fire Chief, Eric Beaulieu

Fire Lieutenant, Nick Brown

Firefighter/Paramedic, Stephanie Morgan, and

Firefighter/Paramedic, Richie Dawe.

Town Manager Shane explained that the Bruce Hill and Pleasant Valley Road neighborhood reached out to him regarding concerns with their water situation. Back in 2009, we identified this area as one of the critical areas to eventually expand infrastructure to help with the water situation. This has been in our Capital Improvement Plan for quite some time, but we haven't gotten to a place where we are able to fund it due to the cost. We're talking about well over 19,000 feet of water mains, which equals approximately 4 million dollars. Some of the residents of that area are here this evening to voice their concerns. He feels that this warrants the Finance Committee to at least take a harder look at this and report back to the full Council in a workshop with the neighborhood present.

Barry Sheff of 254 Bruce Hill Road, said that he, his wife, and 2 sons have lived in Town since 2007. Before they purchased their home, they tested their water quality and quantity. Their well is 400 feet deep, and interestingly, they have a ½ gallon per minute recharge. This means that it takes 10 minutes to fill a 5-gallon bucket. On the water quality side, they had radon and hard water, which they treated. If they use too much water, their well will run dry. They don't wash their cars and they can't do their laundry and take a shower at the same time. Last week, he powered washed his deck for 2 hours and had no water for the rest of the day. They regularly test their water and in March of this year, they discovered that they had excessively high uranium levels. Uranium causes cancer and can affect the

kidneys, so they installed a \$2,300 reverse osmosis system. This all makes him think how crazy it is to live in this incredible community, in a great neighborhood, and he wondered if he was the only one to have this problem. He reached to the neighborhood and on July 6<sup>th</sup>, 25 of his neighbors showed up for a meeting. Each red dot on the photo below indicates a water problem.



These issues are prevalent throughout the neighborhood. Without treatment systems, these homes don't have safe drinking water. The recharge issues on Bruce Hill Road make it difficult to shower and do laundry at the same time, not to mention the lack of water for fire suppression. He is asking the Council for a couple of things: 1) to acknowledge that we have a water problem on Bruce Hill, and 2) to address it and prioritize this project.

John Fehlau of 205 Bruce Hill Road said that he and his wife have been blessed to call Cumberland their home for 33 years. Their water, like so many of their neighbors, has measurable arsenic, uranium, radon, sediment, etc. Before they came to Cumberland, they lived in South Portland where they had fire hydrants up and down the streets. The public water came from Sebago Lake, and it was pure and wonderful. Now they must do the routine. They have a bubble up system and do the annual testing. He requested that the Town Council do a deep dive and take a look to see if it is feasible, and if it is, when can it happen? The time has come.

Heidi LeSiege of 59 Pleasant Valley Road said that she has the same issues as the previous speakers, but her main complaint is water pressure. She has often wondered if there was a fire in that area and it spread from one house to another, what would the Town do? It's time for public water.

Louise Cormier 235 Bruce Hill Road said that she and her husband built their house 44 years ago. When they drilled their well, she cannot recall any issues initially that would have even hinted at the issues they have had over the 4 ½ decades. Something has changed over time. They have installed 2 systems, had corroded pipes, spotting on dishes, and water that has never tasted right. They don't drink or cook with their water. They get their water from the spigot in the center of Town. This is the quality water that she wants all her neighborhood to have. Please give this top consideration.

Mrs. Cormier read a letter from her neighbor, Donna Walton of 234 Bruce Hill Road. She has lived on Bruce Hill Road for 2 years. The water test that they had done before closing on their house had high levels of uranium, and it made them think carefully about moving forward with the purchase. The previous owner had a mitigation system installed. She noticed a reduction in water pressure over the past few months, there was sediment in all the faucets and showerheads, then she lost water completely. She feared that the well had run dry since there were other neighbors who had to drill new wells. Her pump had to be replaced. A large of sediment contributed to its demise. She currently has a water, uranium, radon, and hard water mitigation system. Clean, safe water should be a priority for all the residents of this Town. It's time to make Town water available to our neighborhood for health concerns, as well as fire suppression concerns.

Holly Seddon 231 Bruce Hill Road said that she and her husband moved into their house in 2006. At that time, they had a 400 foot well and a 1,000 foot well, and they required the previous owner to install sediment filters, but the other test results were good. Over the last 15 years, their water quality has deteriorated every single year. They have had to install costly upgrades to their water filtration system in order to have clean drinking water for her family. She would appreciate the Town Council's consideration on this important matter.

### **III. PUBLIC DISCUSSION**

No public discussion.

### **IV. LEGISLATION AND POLICY**

**21 – 089 To hold a Public Hearing to consider and act on a Wharfing Out Permit for 301 Foreside Road (Map R2/Lot 17), as recommended by the Coastal Waters Commission. **TABLED****

**21 – 090 To hear a presentation from Mary Ann Larson and Nancy Hewett of the Bicycle Coalition of Maine re: bike and pedestrian safety and ways to promote more biking and walking in our community.**

Mary Ann Larson, a volunteer with the Bicycle Coalition of Maine, said that she is here this evening to advocate for a bike rack to be placed at Town Hall. This would allow people ride their bikes or walk to Town Hall. There is a sign out front that asks people if they could have walked or biked here, but there is no rack. She has information that she will share regarding the purchase of a bike rack and a grant that is available.

Nancy Hewett said she lives in the Greely Road neighborhood (Brookside, Doughty Road to Main Street), and the traffic and speed on Greely Road has increased tremendously over the past 2 years. She has collected signatures from her neighbors, and they would be interested in having more speed limit signs put up. The first sign is at Doughty Road and there are no additional signs from there to Main Street. Going in the opposite direction, there is one 25 mph sign, but there is none coming from Doughty Road up to Main Street at all. People would like to see paved shoulders and/or sidewalks on Greely Road.

**21 – 091 To consider and act on the adoption of a resolution to create a Rail Corridor Advisory Council for the proposed Casco Bay and Royal River Trails, and to appoint a Town of Cumberland Official to serve on any such Advisory Council.**

Chairman Vail explained that Dick Woodbury introduced this to the Council in July and the Town Council voted to reject it. Since then, we have given it some more thought and have decided to reconsider it. Part of the reconsideration process is to hear from community members who have expressed their interest in this project.

Dick Woodbury said that the division of this trail goes from Portland to Lewiston/Auburn, but there are also larger connections that would continue to Augusta, west to Fryeburg, and then the Eastern Trail that goes to South Portland and down to Kennebunk. The Executive Director of the Eastern Trail is here this evening. He has worked through a lot of the abutter issues and would be able to answer questions.

Jon Kachmar, Executive Director of the Eastern Trail Alliance, said that they have an entity called the Eastern Trail Management District, which manages the trail. The trail would not exist without it. It is represented by all the Towns that have the trail within it. The Towns that have built trails are the ones that put it out to bid, soliciting comments from their residents, deal with abutter issues, and involve abutters in the process to ensure that abutters are in a good place and are advocates for the trail. The Public Works and Recreation departments of the cities and towns are involved with the maintenance of the trails. The trails are engineered and really are small road systems. This ensures that they are safe and that they last. Often, there is State and Federal money available for feasibility, design, and engineering work. As Executive Director, he gets feedback from abutters almost every day and the bulk of it is positive or constructive criticism on something that may need repair. A lot of the people who use the trails on a day-to-day basis, are the abutters, and they are the biggest proponents of the trail. The pandemic has really shown us that people want to get out. Indications are that nationally, 3 to 4 times more people are using trails now than ever before. In 2017-18, they did some economic analysis and discovered that they had approximately 200,000 people using the trail. They polled 170 of those people on how much they spent when they visited the trail. The answer was roughly \$200 per person. They are currently working on a more vigorous economic analysis.

Councilor Gruber asked if there is any cost to the Town associated with this project.

Mr. Kachmar said that there is. 11 million dollars has been spent to build 24 miles of trail. Much of that has been federal money given to the state to build trails for pedestrian and non-motorized use. The initial investment is the significant cost.

Councilor Edes asked for clarity. What is this going to cost the Town of Cumberland? We need real numbers.

Mr. Kachmar said that he can give the Council a better understanding and more specifics based on the Eastern Trail. On average, including all the feasibility work, engineering, permitting, construction, etc., they paid between \$700,000 - \$800,000 per mile. Typically, the municipality pays 20% and the state or federal program pays 80%.

Councilor Segrist said that understanding that the Eastern Trail is somewhat different in terms of scope and size, and that cost \$11,000,000 for 24 miles, that is \$458,000 per mile on average. 80% would be funded by state or federal funds, leaving 20% for the municipality, which is approximately \$90,000 per mile.

Councilor Edes asked who is responsible for maintaining the trail.

Mr. Kachmar said that it is generally a budget line within the Public Works or Recreation departments of the municipality.

Chairman Vail asked if there are rest facilities along the trail.

Mr. Kachmar said there are access points and parking that are added through the design process. Independent restrooms are not provided, but they partner with municipalities who have restrooms close to the trail for public use.

Councilor Segrist said that a law was passed in June that makes it appear that this corridor has been designated as a rail to trail. He realizes that we are talking about the formation of this Advisory Council, but how does the process work? Are they forming an exploratory council to figure out how to implement this, or is it to discuss whether it is ultimately implemented?

Dick Woodbury explained that there were 2 bills this legislative session that related to this. He thinks that Councilor Segrist was referring to the way one of those bills were introduced. One of them introduces how 4 trails would become trail until rail. MDOT said that they need a process in order to authorize these as trails. MDOT put in a separate bill that created the Rail Corridor Advisory Council process.

Councilor Segrist explained to the public that the resolution in support of this project was amended to make sure that it was very clear that someone from the Town Council or a Town official was a part of the Advisory Council, so that we have a seat at the table and the rights of abutters are specifically mentioned in the document.

Be Schonewald of 129 Middle Road said that she very much supports this rail to trail concept. Being a walker, she has noticed that vehicles are going much faster, and the drivers are sometimes distracted. She encouraged Cumberland to participate in this process, at least to take it to the next step and advocate for Cumberland residents, particularly a convenient access point.

Jonathan Labaree of 270 Main Street said that Main Street has nice new shoulders and a sidewalk now. He has noticed many more people out walking and riding their bikes and he appreciates the investment that the Town has made in the shoulders and sidewalks, as well as the incredible network of preserve space. We are so fortunate. He supports this project and would like to see the Town get involved. It would be exciting to connect our community with other communities. He has had too many close calls on his bike while riding on the roads. He hopes that the Town Council will support it.

Bill Follett of 371 Main Street thanked the Council for bringing this item back up. As someone who uses trails such as this, they are great. In regard to the cost, he would expect that this community would be able to find some ways to get people to assist and make it work. He thinks there is a lot of support in our Town for this.

Dave Witherill of 5 Candlewick Lane said that he is greatly in favor of this project. He has been cycling Cumberland roads for 21 years and there are some roads that he will no longer cycle on, because of speeding and distracted drivers. A project like this would give walkers and cyclists a safe place and take them off some of the roads. There are city and towns all over this country that have amazing bike trails. It would be another feather in our cap to have this trail.

Phil Gleason of Hillside Avenue is a longtime cyclist and thinks that this project has some challenges and has a long way to go. The financial considerations are important, but he thinks that it would be unfortunate if we didn't at least get involved at the start. He urged the Council to take the first step in what will be a long and undoubtedly thorough process.

Phil Soule of 147 Middle Road is an abutter, and he would not even think about letting his daughter ride her bike on the road. If he wants to go for a run with his daughter, he goes to the boulevard. He would like to be able to go out his backdoor and get on a trail. He urged the Council to take the next step.

John Jensenius of 44 Laurel Lane and Chairman of the Lands & Conservation, Trails Subcommittee, said that he used to live in the Washington, D.C. area and one of the things he liked about living there was the network of bike paths. They could be used for commuting or recreation. When he moved to Cumberland, he could not

find trails like this. We now have wonderful trails in the woods. He supports the idea of moving forward with this. It would be a great project for everyone involved.

Bruce Sherwin of Blanchard Road said that everybody so far, has spoken positively about this and he will also start out talking positively about it. It does look like a good program on the surface, but if he were on the Council, he would say to himself that he doesn't know enough to really decide. We don't know the details and he does not think that going to the Rails and Trails Advisory Committee is where we get the details. This needs to be tabled and a committee in Town, that has Cumberland interest for Cumberland taxpayers, should go through this process, look at the costs and do a little bit of cost benefit analysis. He thinks that it is a good program, but he would hate to see it cost the Town of Cumberland a lot of money when we have priorities to set involving getting water to people. We do not know enough about this to vote on it tonight.

Sarah Russell of Tuttle Road said that last year, the Town took a big chunk of her front yard and put in a sidewalk and she loves it! She loves seeing kids out there on the sidewalk, she loves seeing her neighbors ride buy, it is awesome. She wants more of it. It is such a great way to pull a community together. She doesn't see the harm in voting to participate in the Advisory Council. That will give us a place to ask questions. We look to our Council members to gather information and make informed decisions for us. We need you to look at the whole picture and being on the Advisory Council will help us to get answers to the questions and come back and talk about it some more.

Erin McAllister of 39 Ranger's Way said that she would like to offer her unique perspective on what it is like to have a trail go through your backyard. Her property abuts the Rines Forest and is separated from the forest by a stone wall. During the pandemic, traffic on the trails was much higher than usual, and it was a pleasure to see people out there in nature, recreating. She encouraged the Council to keep an open mind about this and get more information from the Advisory Council.

David Brink of 7 Willow Lane said that he has lived here for 30 years and the growth of trails in Cumberland has been phenomenal. We have great trails. Portland and Falmouth approved this, and it will keep going. We don't want to be the missing ingredient.

Caleb King of Deep Creek Drive said that he is an abutter to the proposed trail system. He has heard the proposal provided by the Rails to Trails Conservancy and he understands the allure to some, however he still does not believe that this trail system would benefit the Town of Cumberland as it is being sold. The largest fundamental issue with the trail is that there is no public access point to the trail in the Town of Cumberland. What is the point of supporting it? The most proximal access points to Cumberland are in either Yarmouth on Portland Street or Falmouth on Johnson Road. There is no public parking on Johnson Road or Portland Street. A cyclist or walker coming from Cumberland Center would have to make the 2-mile drive down Middle Road in either direction to even access the trail. With all the private access along the trail, there is really only a benefit to those in the neighboring towns. All that is being created is a throughway from Portland to downtown Yarmouth or points in Falmouth. People travelling north to Portland get to enjoy the backside of Presumpscot Street's industrial district. Something that doesn't benefit the residents of Cumberland seems to be spearheaded with the Town's resources in terms of maintenance. The most important consideration for the Town Council at this time would be protecting the 39 property owners who directly abut the proposed trail system. Arguably, there will be tens of thousands of pedestrians using the trail system in a year. Why if there is no direct benefit to the Cumberland residents, would the Town support something like this? There is no need to introduce more through traffic from outside residents and ruin the privacy and ruralness that he and 38 other abutters enjoy.

Christina Mitchell of 23 Shady Run Lane said that she rediscovered cycling recently. If there was an area that was relatively flat to cycle to Falmouth, that would be a dream. Riding her bike on Greely is terrifying and not enjoyable. She appreciates the Council considering this again.

Bruce Sherwin re-emphasized that a lot of people have said that they want to the Advisory Council to learn more about this. That is not the place to go. They are going to look out for the rails and trails, not the Town of Cumberland. We need a committee in Cumberland to look into this and see how it will affect our Town. One member on the committee is not going to be able to represent us.

Jacqueline Storey of 25 Shirley Lane said that she is an abutter and third generation to live on that land. She has a lot of concerns about how this happening. They were told at the last meeting that abutters were contacted, but they were not. Now she is questioning everything. Her family is a big hunting family. What is this going to do to them? Increased traffic is going to push away any wildlife. What about the winter months? Will that mean more maintenance for the Town? If the Advisory Council will truly investigate this, then she is not opposed to it. But if that's just a figurehead to go ahead and do it without the opportunity to say no, then she is opposed to it. There is an abutter on the Town Council. Will she be on the Advisory Committee? She has the most direct effect.

Chairman Vail closed public comment.

Councilor Storey-King said that she initially heard about this idea 3 ½ years ago and was in favor of it. Then she started learning more about it and thinking about literally hundreds of thousands of people using this trail through the back of her property. She understands the benefit to Cumberland residents who would use it, but for each Cumberland resident, there are 10 others not from Cumberland using it. This is not a trail that is going to help us connect with our neighbors. She is open to the Advisory Council. Her understanding from Representative Moriarty was that the Advisory Council is being considered by the Department of Transportation, as of last week. The Advisory Council is only 15 people, maximum. It cannot represent every community along the route. There is no guarantee that Cumberland is going to be chosen. She believes that this is a done deal.

Councilor Gruber said that he made a motion to table this a couple of weeks ago because he felt that we needed more information. The Advisory Council will give us the opportunity to get that information.

Councilor Segrist said that one of the reasons that he attempted to make some revisions to the document was to make sure that it was clear to the Rail Corridor Advisory Council that this is not a rubber stamp on the project itself, but rather it is an intention to be part of the process. Mr. Sherwin said that this is not the place to get answers, but he would respectfully disagree with that. This is a great place for us to get answers. Sitting and talking about it on our own does not get us to the table. It does not get us to be part of the solution. This is moving at the legislative level and at the administrative level at the Department of Transportation. If we just say that we don't want to participate in this council, then we are left with neighboring Towns making the decision for us and our fate being sealed on what this thing looks like, where the on and off ramps are located, what the engineering looks like, and how it works in general. He is a proponent of us participating, learning more, and making sure that abutters rights are considered.

Chairman Vail said that we are in a situation where we have no choice. He has more questions tonight than he did the last time this was discussed. He is fairly confident that we will get answers. Without participating, we will be disadvantaged. The concerns of the abutters are paramount. We have many questions that we still need answered. We need to make sure that we have a voice and do our due diligence.

Councilor Foster said that she is for voting to pass the resolution as worded. As to Mr. Sherwin's point, it would be great if it was 3 months ago, but we are not in a position timing-wise to do a separate due diligence and then be in a position to bring information forward. We have to be part of the conversation and ensure that we are part of the process. This will allow us to have some creative solutions and ensure that we are getting the most out of this for our community and putting some red flags up sooner rather than later.

Councilor Edes said that he is not in favor of this at all. It's a poor plan that does nothing for the residents of Cumberland. There is no public access, and we can't afford it. We listened to residents with no water tonight and here we are talking about spending between \$500,000 and \$800,000 on this. We have turned down multiple projects all over this Town based on the objection of the abutters. The Town Garage is a perfect example. This project will affect the entire Middle Road corridor. He will vote against it.

Councilor Copp asked Mr. Woodbury or Mr. Kachmar if the Town of Cumberland is not a dance partner in this project, what will happen.

Mr. Kachmar said he cannot answer that question directly because he does not know. He feels that there is some misunderstanding on how these trails get built in the State of Maine. Maine has a little bit of money that everybody is trying to share. It is not nearly enough but it is available and that is why the Eastern Trail has taken 20 years to build 24 miles. The communities have built every foot of that trail. The Town will work with their Public Works department, whomever does the bidding for the Town, and on the engineering design. This is a municipal project and there is nobody else to build the trail. If the Town doesn't want the trail, there won't be a trail, because the Town has to build it.

Town Manager Shane said that he feels that is not correct. The Town does not own the land, the railroad owns the land. He thinks it will go right through Cumberland.

Councilor Copp said that he is not supporting this project, but he thinks Councilor Segrist did a good job on the resolution, and we owe it to ourselves and the community to participate in this project through the Advisory Council.

Councilor Segrist said that we have to participate to make sure that we are protecting the abutters. Not just to participate to say that we want a trail in Cumberland. We must protect the abutters and we need a voice on the Advisory Council.

Motion by Councilor Segrist, seconded by Councilor Gruber, to adopt a resolution to create a Rail Corridor Advisory Council for the proposed Casco Bay and Royal River Trails, and to appoint a Town of Cumberland Official to serve on any such Advisory Council.

VOTE: 6-1 (Edes opposed) MOTION PASSES

**21 – 092 To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, a zone change request for property identified as Map U21/Lot 2, from the Village Office Commercial 1 Zone (VOC1) to the Village Medium Density Residential Zone (VMDR), as recommended by the Ordinance Committee.**

Town Manager Shane explained that several months ago, we had a request from a resident of Old Gray Road and Route 100 to re-zone his property. The uses in the current zone are primarily commercial. The property owner petitioned the Department of Transportation to see if a driveway entrance along Route 100 would be allowed. DOT denied the request because of the access off Old Gray Road. Now the owner would like to divide his property so he can create another house lot. The only way to do that is to change the property from

the current VOC1 Zone to the VMDR Zone. The Ordinance Committee looked at this and the next step in the process is for the Town Council to forward it to the Planning Board for a public hearing and recommendation.

James Banfield of 10 Old Gray Road said that because of the hill on Route 100, there is no access allowed for commercial or residential on his property. The only access would be from Old Gray Road, so it makes sense to keep it residential. He wants to add another house lot.

Councilor Segrist asked if a commercial enterprise wanted to situate itself on a VOC1 lot on Route 100 and Old Gray Road, would be able to do that?

Town Manager Shane said that they would not be allowed to get a driveway permit from DOT. They would always be forced on to Old Gray Road.

Councilor Copp said that it appears to him that Mr. Banfield is requesting this zone change to allow him to split his lot and be able to sell a lot. He has a problem with a zone change to create a lot to sell. That does not pass the straight face test with him. He has property that is in the VCC zone, and his land is more valuable being residential than it is commercial. He wouldn't be allowed to change his zone.

Mr. Banfield said that he would like to split the lot, rent his current house, and build himself a new house. There is no commercial use that would be allowed on his lot, so there is no other use other than residential.

Chairman Vail said that he would not want this zone change to be precedent setting. He asked the Town Manager if we should ask the Town Attorney for an opinion.

Town Manager Shane said we certainly could ask.

Councilor Storey-King said that the job of the Council this evening is to send this to the Planning Board for their thoughts and a recommendation. We are not approving it or disapproving it.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to forward to the Planning Board for a Public Hearing and recommendation, a zone change request for property identified as Map U21/Lot 2, from the Village Office Commercial 1 Zone (VOC1) to the Village Medium Density Residential Zone (VMDR), as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

**21 – 093 To hold a Public Hearing to consider and act on amendments to Chapter 48 (Coastal Waters), Section 2-D (Definitions) of the Cumberland Code, as recommended by the Ordinance Committee.**

Councilor Storey-King explained that this is housekeeping issue. There is only one word amended in this section.

Chairman Vail opened the public hearing.

No public discussion.

Chairman Vail closed the public hearing.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to amend Chapter 48 (Coastal Waters), Section 2-D (Definitions) of the Cumberland Code, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

**21 – 094 To hold a Public Hearing to consider and act on amendments to Chapter 84 (Fees & Fines), Section 12 (Moorings) of the Cumberland Code, as recommended by the Ordinance Committee.**

Councilor Storey-King explained that these amendments clarify what is a fee and what is a fine.

Councilor Foster pointed out the item “I” is listed as a fee and should be a fine.

Chairman Vail opened the public hearing.

No public discussion.

Chairman Vail closed the public hearing.

Motion by Councilor Foster, seconded by Councilor Segrist, to amend Chapter 84 (Fees & Fines), Section 12 (Moorings) of the Cumberland Code, as amended, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

**21 – 095 To hold a Public Hearing to consider and act on amendments to Chapter 9 (Alarm Systems) of the Cumberland Code, as recommended by the Ordinance Committee.**

Councilor Storey-King explained that when it was considered the many ways that people now alarm their homes, it didn’t make sense to separate those who have professionally installed alarm systems with those that install their own. The fee to register your alarm was removed, but after a number of false alarms within a designated time period, there may be a penalty assessed.

Chairman Vail opened the public hearing.

No public discussion.

Chairman Vail closed the public hearing.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to amend Chapter 9 (Alarm Systems) of the Cumberland Code, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

**21 – 096 To consider and act on setting October 11<sup>th</sup> through 15<sup>th</sup> as bulky item pick up week.**

Motion by Councilor Copp, seconded by Councilor Gruber, to set October 11<sup>th</sup> through 15<sup>th</sup> as bulky item pick up week.

VOTE: 7-0 UNANIMOUS

**NEW BUSINESS**

**Councilor Segrist** – As most people know, we have a very robust Senior Property Tax Rebate program. We are looking at ways to potentially expand or grow that program where we can, and where it is feasible economically. We are also looking at other creative solutions to make it easier for folks who have lived in Cumberland for quite some time, who are older in age, and lower on the income scale, to also benefit further from some additional assistance. We had a very productive meeting prior to Town Council meeting this evening.

Regarding the “Open for Business” initiative, it will identify areas in Cumberland that are currently zoned for business and identify potential businesses that would like to move in. It will also highlight the wonderful businesses that we currently have in Cumberland by updating the business directory. He and Councilor Copp have been working together on this and they plan to meet with the Town Manager to figure out how to best sort out the data.

**Councilor Storey-King** – A few weeks ago, the Ordinance Committee met and talked with the Cumberland Farmer’s Club and a landowner near the fairgrounds who runs a business on Bruce Hill Road. We had some discussions on land use, protecting one and other, and helping each stay in business.

Last week, the Ordinance Committee met with an attorney for the marijuana industry. She had so much information to share on our ordinance. Our next step is to craft an ordinance. We have over 30 medical marijuana caregivers all over our Town. Medical marijuana is unregulated. It could contain lead, arsenic or pesticides. Adult use marijuana (retail marijuana) on the other hand, is heavily regulated. We learned a lot and more will be coming forward.

Saturday is the Town’s birthday party at Twin Brook. There are some amazing activities planned throughout the day.

Condolences to the entire family and friend network of Phil Chase. He was an iconic community member.

**Councilor Gruber** – The food pantry numbers are down, which is a good thing.

**Chairman Vail** – The Town Council met with Avesta Housing prior to the Council meeting this evening. We are doing some expletory work on an assisted living/nursing care facility and will bring the topic up again soon.

**Councilor Foster** – Requested that the public water issue for the Bruce Hill neighborhood be added to the next Finance Committee agenda for discussion.

As an avid biker, she rode by the Greely Road railroad crossing and there is no shoulder there. We need a sign that says, “cyclists may use the full lane”.

If you’re heading towards Main Street on Greely Road, there is a 35-mph sign. Then there is a 25-mph sign if you’re coming from Main Street down Greely Road, but the sign is alluding to the fact that it’s 25-mph when you turn right on to Val Halla Road. It’s very confusing.

She will be in the dunk tank from 11 – noon at the bicentennial celebration and at 11:30 we will be planting the Cumberland hope garden as part of the event. This is the kickoff of planting hope in our community. September is Suicide Prevention Month, so the timing is wonderful. In May we will come back together to see the blooming and growth in our community.

**Councilor Edes** – He appreciated the discussion this evening even though he was on the losing side of the vote. It was a respectful discussion, and he enjoyed the input from everyone.

Condolences to the Gagnon family on the passing of Mark Gagnon. He passed away way too young.

**Councilor Copp** – He will also be in the dunk tank on Saturday.

He thanked the Town Manager for the striping on Mill Road. He is in the minority, but he thinks that it has slowed traffic down on Mill Road.

Condolences to the Chase family on the passing of Phil Chase.

The 4-H auction will take place Wednesday at the fair. This is a great cause.

**ADJOURNMENT**

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

VOTE: 7-0 UNANIMOUS

TIME: 10:09 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary