

# MINUTES

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, May 23, 2022**

**6:00 P.M. Workshop re: Appointment of Housing Task Force**

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

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

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

Motion by Councilor Copp, seconded by Councilor Segrist, to accept the meeting minutes from the May 3, 2022 Special Meeting and May 9, 2022 regular meeting, as presented.

VOTE: 6-0-1 (Storey-King abstained) MOTION PASSES

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

The next meeting of the Rail Use Advisory Council will be held on May 31st at 10:30 a.m. This will be a virtual meeting. More information can be found on the MDOT website. All supporting documents can be found on the website under Portland to Auburn Line.

The new State laws regarding affordable housing and lot splits are just that, new. It will not be in effect until July 1, 2023, so we will be working with Greater Portland Council of Government, Maine Municipal Association, as well as our neighboring Towns on developing strategies around these new laws.

We have been meeting with the Towns of North Yarmouth, Pownal, Windham, Gorham and Falmouth for a regional trash collection contract and new automated trash pick-up. Ecomaine believes we will have a plan together for the Town Councils and Selectboards to consider by the end of the year.

Some paving will start around Town this week. If asphalt prices continue to climb, we may need to take a timeout.

### **III. PUBLIC DISCUSSION**

Mike Doyle invited everyone to stand up and join him in the Pledge of Allegiance. Nobody in the room chose to stand up and Mr. Doyle did not recite the Pledge of Allegiance.

Mr. Doyle said that he is here this evening to speak about the Chief of Police, the District Attorney, the School Board and Ann Maksymowicz. Last June, they all held a meeting at the Police Department to conspire against him. They hatched a plan and came up with a bunch of phony charges against him. He was dragged into court and was even arrested in court while he was talking to the Judge about Ann. It's been one fake charge after another. Everything that he has ever said about Ann Maksymowicz is protected under free speech. He has a trial coming up this Thursday on a 14<sup>th</sup> Amendment violation from when Jeff Porter had his sign removed from the school fence and he was issued a criminal trespass notice. Once you put a sign on a fence, it becomes a public bulletin board and it called equal protection of the law. Who is running this place? If Chairman Vail spent more time running this Town instead of worrying about patriotism tests, things might be better. It is very disgusting to see a conspiracy run in a Town Hall against him. He was stunned when he received the discovery from the Town. He wasn't committing any

crimes, but they went looking to create fake charges. Is this the way you should run a Town? Where departments run a conspiracy against somebody? It is very disappointing.

Bill Stiles of Range Road reported on the Historical Society's Scavenger Hunt last Friday. It was a very well planned and very well attended.

Town Manager Shane added that the Historical Society will be at the next meeting presenting a video of the scavenger hunt.

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

##### **22 – 062 To hold a Public Hearing to consider and act on a Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Andrew Pettingill) located at 222 Gray Road.**

Chairman Vail said that the application is complete and has been signed off by the appropriate staff members.

Chairman Vail opened the Public Hearing.

Andrew Pettingill said that he is the business owner and thanked the Town for working with him. He is happy to answer any questions.

Chairman Vail closed the Public Hearing.

Motion by Councilor Foster, seconded by Councilor Segrist, to approve the Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Andrew Pettingill) located at 222 Gray Road.

VOTE: 6-0 UNANIMOUS

##### **22 – 063 To hold a Public Hearing to consider and act on a Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Kristin Pettingill) located at 222 Gray Road.**

Councilor Segrist wanted to clarify that this is the second license for this location, which would be the maximum allowed for the premises.

Chairman Vail opened the Public Hearing.

No public comment.

Chairman Vail closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Segrist, to approve the Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Kristin Pettingill) located at 222 Gray Road.

VOTE: 6-0 UNANIMOUS

##### **22 – 064 To hold a Public Hearing to consider and act on extending the Mass Gathering Permit for The Garden Brothers Family Circus to add an additional show date of July 4, 2022.**

Chairman Vail said that we have an application requesting the addition of a show date of July 4<sup>th</sup>, and we have a negative response from our Public Safety Chief's due to the inability to properly staff the event.

Councilor Foster said that she was not surprised by the Chief's feedback being that July 4<sup>th</sup> could be a busy time for them. It does not seem like a good idea to grant the additional day, considering the number of people that are expected at the event and our public safety staff not being able to be there due to the potential needs of the entire community.

Councilor Edes said that in theory, he is not necessarily against the additional day, except for the strain on our public safety personnel. We should keep in mind that when we issued a Farmed Based Specialty License on Bruce Hill Road, one of the conditions we had was that we wanted to be sure the events were not held on holidays, due to the strain on our public safety staff. We have been consistent on this.

Chairman Vail opened the Public Hearing.

Liz Tarantino, Secretary of the Farmer's Club said that she appreciates the thought that the Town Council has put into this. She is slightly disappointed because of the revenue that the Farmer's Club will be losing from an additional day of rental, but the Farmer's Club certainly appreciates the continued support that the Town Council shows them.

Motion by Councilor Storey-King, seconded by Councilor Foster, to deny extending the Mass Gathering Permit for The Garden Brothers Family Circus to add an additional show date of July 4, 2022.

VOTE: 6-0                      UNANIMOUS

**22 – 065    To consider and act on authorizing the Town Manager to amend the Maine Public Employees Retirement System service retirement plan for eligible Cumberland Fire/EMS employees from Special Plan 2C to Special Plan 3C, effective July 1, 2022.**

Town Manager Shane explained that we are very close to finalizing the new union contract with the full-time Fire/EMS employees. Maine Public Employees Retirement System requested that we complete this step to allow them to have the plan in place for a July 1, 2022, effective date.

Chairman Vail asked for any public comment.

No public comment.

Motion by Councilor Segrist, seconded by Councilor Storey-King, to authorize the Town Manager to amend the Maine Public Employees Retirement System service retirement plan for eligible Cumberland Fire/EMS employees from Special Plan 2C to Special Plan 3C, effective July 1, 2022.

VOTE: 6-0                      UNANIMOUS

**22 – 066    To appoint members to the Aging in Place Committee.**

Motion by Councilor Copp, seconded by Councilor Segrist, to appoint Sherry Boothby and Amy Hatch to the Aging in Place Committee.

VOTE: 6-0                      UNANIMOUS

**22 – 067    To authorize the Town Manager to accept a payment for delinquent FY'18 and a portion of FY'19 taxes in the amount of \$8,000.00 on property identified as Map R07/Lot 69.**

Town Clerk, Tammy O'Donnell explained that the property owner has requested that their delinquent tax payment be accepted. The property owner has informed her that their intention is to pay the remaining balance that is due within the next 4 months.

Town Manager Shane added that the Town Council is required to vote to accept any payments for back taxes.

Motion by Councilor Copp, seconded by Councilor Segrist, to authorize the Town Manager to accept a payment for delinquent FY'18 and a portion of FY'19 taxes in the amount of \$8,000.00 on property identified as Map R07/Lot 69.

VOTE: 6-0

UNANIMOUS

## V. NEW BUSINESS

**Councilor Segrist** – for residents of Ole Musket and Long Meadows Roads, there will be a meeting this Wednesday, May 25<sup>th</sup> to walk the roads with the Town Manager, and hopefully himself, to talk about some road repairs that will be done (drainage, piping, concrete curbing) to help fix some of the drainage issues. The meeting place on Ole Musket will be in front of house number 18 at 6:00 p.m. and on Long Meadows in front of house number 20 at 6:45 p.m.

**Councilor Storey-King** – she is sorry for missing the last Council meeting and the opportunity to say her public thank you to Tom Gruber for his service on the Town Council. She sent him a note and he is already missed.

There was a Library Advisory Committee meeting last week and there will be some changes coming in how a book is checked out at our library. New library cards will be issued, and the cards will have to be in your possession when checking out materials at the library.

Gratitude to the Climate Action Committee for applying on behalf of the library for a grant to help with some heat pumps, and to our Public Works department for helping to control the invasive plants in front of the library.

The Memorial Day parade is coming up next Monday.

The Cumberland Fair is celebrating its 150<sup>th</sup> birthday during the first weekend in June.

**Councilor Foster** – yesterday was the 4<sup>th</sup> Kids' Triathlon in Town. It is an amazing site to watch the kids at this event. One of the best sites of the day was seeing our Police Chief give the kids their safety instructions. Thank you, Chief Rumsey and the other officers who helped out at the event.

**Councilor Edes** – he agreed with Councilor Storey-King that Councilor Gruber is missed and he wished him well.

**Councilor Copp** – he made his donation to the 4-H fund that benefits the Food Pantry as he does at every meeting. This is a very worthy cause that he promised Bill Stiles he would continue to promote. He challenged 1,000 residents of Cumberland and North Yarmouth to donate just \$10. Councilor Foster made a \$20 donation.

**Chairman Vail** – the Lion's Club is having their annual Charter night this evening where they will honor a local business. This year's recipient is Maine Line Fence. Congratulations to them.

**VI. EXECUTIVE SESSION** pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.  
Motion by Councilor Segrist, seconded by Councilor Copp, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.  
VOTE: 6-0                      UNANIMOUS  
TIME: 7:49 P.M.

Reconvene to regular session at 8:42 P.M.

Motion by Councilor Copp, seconded by Councilor Storey-King, to execute a release deed on foreclosed property identified as Tax Map U13A/Lot 11 upon receipt of all taxes and fees due on the property.  
VOTE: 6-0                      UNANIMOUS

**VII. ADJOURNMENT**  
Motion by Councilor Foster, seconded by Councilor Edes, to adjourn.  
VOTE: 6-0                      UNANIMOUS  
TIME: 8:43 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary