

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

Monday, December 12, 2022

6:00 P.M. Workshop with the Police Chief re: State of the Police Department Report

7:00 P.M. Call to Order

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

Excused: Councilor Edes

I. APPROVAL OF MINUTES

Motion by Councilor Filson, seconded by Councilor Storey-King, to accept the November 28, 2022 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

II. MANAGER'S REPORT

Town Manager Shane introduced Chairman of the Lands & Conservation Commission Trails Subcommittee, John Jensenius, who invited Andrew Bilodeau to come to the podium. John explained that as part of his Eagle Scout project, Andrew built 6 kiosks to be placed at Town owned parks. Andrew met with John and Mike Schwindt to talk about the project, then met with the entire Lands & Conservation Commission to present his proposal. He then had to receive approval from Scout leadership on the project, which he did receive. Next, he prepared a materials list and got price quotes, which he presented to the Town. With some help from his friends, he began building the kiosks and installed them. On behalf of the Lands & Conservation Commission and the public, John thanked Andrew, as did the Town Council.

III. PUBLIC DISCUSSION

Pete Wilson of 18 Oak Ridge Road said that he lives next to Knight's Pond, and he enjoys that property very much. He said that he does not believe that we should allow hunting and trapping on Town owned land. He spoke to a trapper and learned that the process of trapping a beaver is to snare it under water and drown it. That is pretty disgusting, and in his view, it should not be allowed on Town owned property. Someone else should not control what we do on the land we own.

Town Manager Shane responded that trapping was included in the Conservation Easement that we signed. The agreement was between the Town, the Land Trust and IF&W (inland fisheries and wildlife).

IV. LEGISLATION AND POLICY

22 – 146 To appoint Jennifer Doten as Town Clerk.

Town Manager Shane said that it is with extreme pleasure that he recommends the appointment of Jennifer Doten as our new Town Clerk. He and Jennifer worked together in Yarmouth briefly before he left. She has over 20 years of Town Clerk experience and we are very excited to have her join our team.

Motion by Councilor Copp, seconded by Councilor Segrist, to appoint Jennifer Doten as Town Clerk.

VOTE: 6-0 UNANIMOUS

22 – 147 To hear a report from the Housing Task Force. TABLED
 Motion by Councilor Storey-King, seconded by Councilor Copp, to table.
 VOTE: 6-0 UNANIMOUS

22 – 148 To hear a presentation from the Recreation Director re: Recreation Capital Improvement Plan.
 Recreation Director, Peter Bingham, presented the following:




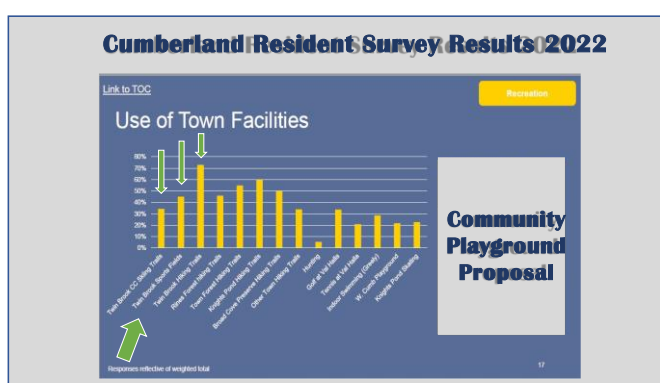
Community Playground at Twin Brook Proposal

- Approached by Community Members who currently leave Cumberland to visit a playgrounds in neighboring communities.
- Influx of new residents with children & grandchildren.
- There is no playground access during school hours on the Greely campus.
- The playground at MIW has been significantly reduced in size with no current plan for renovation or expansion.



Community Playground at Twin Brook Proposal

- West Cumberland Playground gets significant use during fall and spring sports seasons, as well as local residents.
- Twin Brook is ideal location for a Playground. It is widely used by the community and beyond with it being a focal point for youth sports and passive recreation. Twin Brook has an expansive footprint for playground placement.
- An existing infrastructure is close by including drinking water, permanent bathrooms and a shade structure.
- Cumberland Resident Survey identified the desire for a Community Playground.

Community Playground at Twin Brook

Potential location choice criteria:

- Proximity to Shelter Building & Restrooms
- Proximity to Fields
- Proximity to Parking Lot
- Handicap Accessible

Color Scheme: Green/Red/Brown Earth Tones

Size: 55 x 80 (with additional opportunity for future expansion)

Proposed Timeline: Installation Summer 2023

Price Breakdown:

Public works will prep, grade and prepare site. Structure quote includes factory assembly, installation and wood chips.

Structure: \$125,000

Material: \$25,000

Contingency: \$10,000

Rubber Surface (optional): \$75,000

Community Playground Sample



Community Playground Sample



Community Playground Sample

4 Swing Set Sample



Ages 2-5

Ages 6-12

Which Playground do we choose?



We are leaving the choice to the Professionals...
We will ask the Students at MIW to VOTE!

Field Improvements & Drainage



Twin Brook Back Athletic Fields

2 Full Size Fields (120' x 65' each)

Field Improvements & Drainage



Field condition after limited amount of rain



Due to drainage issues, the back two fields are often closed on average 2-3 days longer per rain event, compared to our other fields. Additional rainfall in a short period of time, only compounds the issue with drainage.

Field condition after limited amount of rain



In the Spring of 2019, we received 12.1 inches of rain between April 15 and June 15. Due to this, the two back fields were only playable 5 days out of 60 in that time period.

Funding needed for Field Improvements & Drainage

- Maintaining fields is necessary due to use and wear and tear.
- A Drainage Design Schematic is in progress.
- A large diameter drainpipe will run through the center with pipes blistering off.
- The plan is to perform the work in-house, with very little use of outside contractors resulting in less labor costs.
- Materials required: Crushed Stone, piping, drainage fabric, sand-loam mix and seed and miscellaneous materials.
- Based on prior similar projects, the cost will be approximately \$75,000.



22 – 149 To hold a Public Hearing to consider and act on the adoption of Chapter 30 (Boards and Commissions), Article IV (Recreation Advisory Board), as recommended by the Ordinance Committee.

Councilor Storey-King explained that the Lands & Conservation Commission had some concerns with this new ordinance language because they were concerned with duplications of efforts and who is in charge of what. She took the edits to the Recreation Advisory Board for their review, and they are recommending adoption.

Chairman Foster opened the Public Hearing.

No public comment.

Chairman Foster closed the Public Hearing.

Motion by Councilor Vail, seconded by Councilor Segrist, to adopt Chapter 30 (Boards and Commissions), Article IV (Recreation Advisory Board), as recommended by the Ordinance Committee.

VOTE: 6-0 UNANIMOUS

22 – 150 To appoint a member to the Planning Board and Lands & Conservation Commission Trails Subcommittee.

Councilor Copp said it will be with great pleasure that he will make a motion to appoint George Turner to the Planning Board. George had served on the Board of Appeals for many years, and he served on the Town Council for 15 years.

Councilor Filson added that Paige Diamant will be an asset to the Lands & Conservation Commission Trails Subcommittee. She is very excited to get started.

Chairman Foster asked for any public comment.

No public comment.

Motion by Councilor Copp, seconded by Councilor Storey-King, to appoint George Turner to the Planning Board and Paige Diamant to Lands & Conservation Commission Trails Subcommittee.

VOTE: 6-0 UNANIMOUS

22 – 151 To authorize the Town Manager to accept payment for delinquent FY'19 and a portion of FY'20 taxes in the amount of \$4,000.00 on property identified as Map R07/Lot 69.

Town Manager Shane explained that when properties go into foreclosure, the Town Council must approve acceptance of delinquent tax payments. Staff is recommending acceptance of this payment.

Chairman Foster asked for any public comment.

No public comment.

Motion by Councilor Segrist, seconded by Councilor Copp, to authorize the Town Manager to accept payment for delinquent FY'19 and a portion of FY'20 taxes in the amount of \$4,000.00 on property identified as Map R07/Lot 69.

VOTE: 6-0 UNANIMOUS

22 – 152 To consider and act on canceling the December 26th Town Council meeting.

Chairman Foster explained that Town offices are closed on December 26th, and it is the last day of Hanukkah. There is no pressing business for the Council to consider, so holding the meeting would only be for public discussion. This decision was not taken lightly.

Chairman asked for any public comment.

No public comment.

Motion by Councilor Copp, seconded by Councilor Filson, to cancel the December 26th Town Council meeting.

VOTE: 6-0 UNANIMOUS

22 – 153 To consider and act on being a non-financial sponsor for Vet-to-Vet Maine for the Cumberland County Community Development Grant.

Chairman Foster explained that Susan Gold from Vet to Vet Maine reached out to the Town and explained that as part of their grant application, they need Towns to sign as sponsor to qualify for the grant. There is no financial obligation to the Town.

Motion by Councilor Storey-King, seconded by Councilor Vail, to support Vet-to-Vet Maine as a non-financial sponsor for the Cumberland County Community Development Grant.

VOTE: 6-0 UNANIMOUS

V. NEW BUSINESS

Councilor Copp – as he does at every Town Council meeting, he donated to the 4-H auction fund that benefits the Food Pantry. He wished everyone happy holidays.

Councilor Filson – Lands & Conservation met last week. They heard a report from Bob Abbott of North Yarmouth regarding Knight's Pond and looking into creating an observation platform that would look out at the pond. It would be handicapped accessible. It could also be used as an access point for skating. It would need DEP approval and funding, so it will be discussed further.

The invasive management plan should be coming to the Town Council in July. The Forestry subcommittee will get a walkthrough scheduled for the Town Councilors in May so we can get a look at the invasives and the problems they cause.

Jamie Broder of the Housing Task Force gave an overview to the Lands & Conservation Commission on the work that they are doing and the potential impact to Town owned land.

Congratulations to Denny Gallaudet on the \$50,000 Community Resilience Partnership Action Grant that he secured.

Thank you to Councilor Vail and Assistant Town Manager, Chris Bolduc who helped with the removal of a tree that fell on her house after the last storm. This community continues to amaze her.

Happy holidays to everyone!

Councilor Vail – he spoke to Sally Stockwell recently and she reiterated the desire of the Lands & Conservation Commission to take the Town Council around to look at the invasive plants and the problems they are causing to Town owned land, as Councilor Filson mentioned. He is looking forward to doing this.

Councilor Segrist – he will be on a call tomorrow with the Town Attorney, the Town Manager, State Representative Steve Moriarty and newly elected State Senator, Teresa Pierce. They will be discussing the idea of potentially introducing a bill that might expand the current state legislation that allows municipalities to create their own property tax deferral program.

Tomorrow evening, the final Housing Task Force meeting will be held. They will be voting on the final language of the outline in the report to the Town Council, and where the committee goes from here.

Happy holidays to everyone.

Councilor Storey-King – The Prince Memorial Library will be turning 100 years old and there will be a celebration on January 7th. She encouraged everyone to attend.

Tomorrow is a very big day. It is our birthday! The Cumberland Town Council was voted into existence on December 13, 1972. She brought a birthday cake, hats, and noise makers for the Town Council to celebrate this milestone.

Chairman Foster – The Town Council has a lot of work coming up in January. The next Capital Improvement Plan presentations will be from Public Works and the Library. Devon Galvan, our new Aging in Place Director, will also be giving a presentation in January. The Town Council will meet with the Town Attorney in January to have an initial discussion regarding the hiring process for a new Town Manager.

VI. EXECUTIVE SESSION pursuant to Title 36 M.R.S.A. Section 841(2) to consider and act on an application for tax abatement based on hardship.

Motion by Councilor Filson, seconded by Councilor Copp, to recess to Executive Session pursuant to Title 36 M.R.S.A. Section 841(2) to consider and act on an application for tax abatement based on hardship.

VOTE: 6-0 UNANIMOUS

TIME: 8:35 P.M.

Reconvene to regular session at 9:14 P.M.

Motion by Councilor Vail, seconded by Councilor Storey-King, to deny the property tax abatement request for case number 2022-002HA in the amount of \$5,784.50 for tax year 2021, per the finding of fact and conclusions as discussed in Executive Session. More information was requested.

VOTE: 6-0 UNANIMOUS

VII. ADJOURNMENT

Motion by Councilor Copp, seconded by Councilor Vail, to adjourn.

VOTE: 6-0 UNANIMOUS

TIME: 9:15 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary