

# MINUTES

Cumberland Town Council Meeting  
Town Council Chambers

**Monday, November 13, 2023**

**5:00 P.M. Executive Session pursuant to Title 1 M.R.S.A., § 405(6)(C) re: real property**

**6:30 P.M. Workshop with the LCC re: Grassland Nesting Bird Conservation**

## 5:00 P.M. Call to Order

Present: Councilors Douglass, Edes, Filson, Segrist, Storey-King and Vail

- I. EXECUTIVE SESSION** pursuant to Title 1 M.R.S.A., § 405(6)(C) re: real property.  
Motion by Councilor Filson, seconded by Councilor Douglass, to recess to Executive Session pursuant to Title 1 M.R.S.A., § 405(6)(C) re: real property.  
VOTE: 6-0 UNANIMOUS  
TIME: 5:00 P.M.

Councilor Copp arrived at 5:53 P.M.

Executive Session concluded at 6:24 P.M.

6:30 P.M. Workshop began.

7:00 P.M. Regular Town Council meeting began.

## II. APPROVAL OF MINUTES

Motion by Councilor Vail, seconded by Councilor Copp, to accept the October 23, 2023 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

## III. MANAGER'S REPORT

Senator Teresa Pierce and Representative Steve Moriarty presented the following:



### Investing in Maine's Workforce and Families

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- ▶ Creation of a statewide **Paid Family and Medical Leave** program
- ▶ Bolstering access to **child care** and increasing provider pay
- ▶ Supporting the **Maine Health Care Provider Loan Repayment System**
- ▶ Critical funding to our **Emergency Medical Services** providers on the brink of financial collapse

### Tackling Maine's Housing Crisis

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- ▶ Establishing a **Housing First** program; apartment-style units with 24/7 support services to help our chronically homeless population
- ▶ Investing **\$70 million** in building more housing and increasing stock
- ▶ Investing **\$26 million** for emergency housing and shelter operations
- ▶ Supports to keep Mainers in their homes
  - ▶ **\$15 million** in lower income energy assistance (HEAP)
  - ▶ **\$12 million** in emergency rental relief (LIAP)
- ▶ **Preventing student homelessness** through McKinney-Vento liaisons
- ▶ **Created** a pilot program for improved access to credit
- ▶ Delivered emergency **heating and housing relief** to over **850,000** eligible Mainers in January 2023
- ▶ **Extended TIF Districts** for affordable housing projects

### Supporting our Schools and Educators

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- ▶ Maintaining our commitment to fund public education at **55%**
- ▶ Continuing **school meals** for all Maine public school students at no cost to families or districts
- ▶ Extending **tuition-free community college** for another two years for 2020-2025 HS graduates
- ▶ Bolstering our **teaching workforce** by establishing alternative pathways and training
- ▶ Fighting for increased teacher salaries in the 2024 supplemental budget

### Environment and Natural Resource Protection

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- ▶ **PFAS Mitigation** **\$2M** for ongoing expenses, including sampling and testing
- ▶ **Energy planning and research** **\$3M** for GOPIF Community Resilience Partnership program
- ▶ **Community resilience grants to municipalities** **\$3.2M** provides positions and funding for grants and technical assistance to Maine municipalities and tribes for climate planning and actions
- ▶ **Drinking water and wastewater systems** **\$3M**

### Enhanced Tax Relief Programs

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- ▶ **Replaced the Property Tax Stabilization Program** (LD 290) with a **targeted, fiscally sustainable** package to better serve those who need help the most (LD 130)
- ▶ **Property Tax Fairness Credit**
  - ▶ Increased the maximum benefit to up to \$2,000
  - ▶ Clarified and boosted eligibility so more Mainers can take part
- ▶ **Property Tax Deferral Program**
  - ▶ The program places a lien on a home and allows the state to recoup the unpaid taxes after the owner passes and the estate is settled
  - ▶ This budget expands eligibility for the program to ensure that those who need it most can access it

### Enhanced Tax Relief Programs cont.

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- ▶ **Establishing the Maine Dependent Tax Credit**
  - ▶ This new tax credit replaces the child care tax credit and provides a refundable dependent exemption credit of \$300 beginning in Fiscal Year 2025
  - ▶ The credit amount is indexed to inflation and would cover any dependent someone has, whether they are a young child, a foster child or an older adult dealing with an illness
- ▶ **Income tax breaks for retired Maine residents**
  - ▶ The budget increases the annual income tax pension deduction from \$30,000 to \$35,000 for all retired Maine residents this tax year
  - ▶ The deduction increases to the equivalent of the maximum social security benefit in the following years

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Thank you.

## IV. PUBLIC DISCUSSION

Bruce Sherwin of Blanchard Road said that it came to his attention that requests for proposals were sent out for the roundabout project. Did it go to only Gorrill-Palmer?

Town Manager Shane said that it went to more than only Gorrill-Palmer and they were interviewed with two other engineering firms.

Mr. Sherwin asked if that means that we are now married to Gorrill-Palmer through the project.

Town Manager Shane responded no. They are only obligated to get us the report that is sent to MDOT.

Mr. Sherwin asked how many proposals we received on the affordable housing request for proposals.

Town Manager Shane responded that we received one.

Mr. Sherwin asked if the public would have the opportunity to talk about the affordable housing issue.

Town Manager Shane said that they will be available at the first December Town Council meeting.

## **V. LEGISLATION AND POLICY**

### **23 – 122 To consider and act on adopting a policy to support grassland bird nesting success by delaying mowing at Twin Brook and fields at Stiles Way until July 15<sup>th</sup>.**

Chairman Segrist said that the Lands and Conservation Commission has brought forward to the Town Council ideas about what we can do to protect local nesting birds on Town owned property. They explained that the best way to do this is to delay mowing at the non-athletic fields at Twin Brook and the field at Stiles Way, between mid-May and July 15<sup>th</sup>. We discussed this in a workshop prior to the meeting this evening.

Chairman Segrist asked for any public comment.

Sally Stockwell, Vice-Chair of the forestry subcommittee of the Lands & Conservation Commission, said that they have been working with a group called Egg Allies over the last year and a half. They work with municipalities, landowners, and farmers to encourage the delay of mowing, when possible, to allow these seriously declining birds to have a chance at nesting. When they visited our property, they were quite surprised at the habitat that we have in Cumberland. This is a great opportunity for the Town to step up and formalize our involvement to help these birds have a chance of nesting, raising their young, and continuing on with the next generation.

Councilor Vail said that we should make a conscience effort to be respectful of the community we live in, the environment we live in, and as with any decision we make, there are winners and losers and sometimes it's humanity that might be the loser and wildlife is the winner. He is in favor of this.

Councilor Storey-King said that she saw real collaboration between the farmers and the Lands and Conservation Commission. She was proud of this for our community. She does have an issue with dogs at Twin Brook. The policy current reads "requesting that all dogs either be either leashed or kept away from these areas during that period". She would like it to read "all dogs be leashed and kept away from the area". A not well-behaved dog could bark and growl near the area, even on a leash, disturbing the birds.

There was discussion about signage being put up advising people to keep their dogs away and trying the policy for one year and revisiting it if problems or issues need to be addressed.

Motion by Councilor Vail, seconded by Councilor Filson, to adopt a policy to support grassland bird nesting success by delaying mowing at Twin Brook and fields at Stiles Way until July 15<sup>th</sup>, as recommended by the Lands and Conservation Commission.

VOTE: 7-0

UNANIMOUS

**23 – 123 To hold a Public Hearing to consider and act on accepting Peaceful Way as a Town Road.**

Chairman Segrist said that the Blanchard Oaks subdivision road (Peaceful Way) is currently a private road that has been built to Town subdivision standards and they are now seeking the road to be accepted as a Town road. The Town Attorney has reviewed this and has signed off on it.

Councilor Copp said that he has driven through this development and through Courtland Court, which abuts it. The Planning Board should have had some better foresight on this because there should have been a through street to connect the two developments. It's a very short distance to connect the two roads and it doesn't make sense to him. His gut sense is that the developer was able to sell another house lot at the end of the street, making the connection impossible.

Town Manager Shane said that it is likely the timing of the 2 developments. Blanchard Oaks fell under the Conservation Subdivision Ordinance and some land had to be set aside. That may be a factor.

Councilor Filson said that she wouldn't want to punish the people that live on the road because of a poor decision on the part of the developer.

Councilor Douglass said that she would ask that the Ordinance Committee or Planning Board is more mindful of this going forward as more developments come forward.

Chairman Segrist said that he is hesitant to go against over 20 years of accepting roads because of potentially catching something at the Planning Board level or ensuring that we were more involved in making sure that any development was built in accordance with our Comprehensive Plan.

Councilor Vail said that the understanding at the Planning Board level is that when a subdivision comes before them, the road will not be just a cul-de-sac, there would be consideration given to the abutting land and how that would work. The developer never showed any direction and the Planning Board did not have a clear understanding that this was eventually going to be a public road upon completion of the infrastructure.

Chairman Segrist opened the Public Hearing.

Bruce Sherwin of Blanchard Road referred to the Comprehensive Plan where it states, "requiring sidewalks in all subdivisions with pedestrian and bicycle connections between neighborhoods and an interconnected street network". There is no sidewalk or bicycle shoulder at Peaceful Way or Stonewall Drive. The Comprehensive Plan also states, "specific goals are to provide safe roads in good condition and to strive for safe roads for bicycles and pedestrians". This is missing in the Blanchard Road Extension development. Blanchard Road Extension in particular is in very bad shape. There is no shoulder, no place to walk, and no place to bike.

Chairman Segrist closed the Public Hearing.

Councilor Storey-King said that she is going to vote against this because she does not know if any of the residents want it to be a public road (none are present at the meeting). We have a request from a developer who

is from Kentucky who wants this to be made into a public road. She hasn't heard from any residents who live on the road.

Motion by Councilor Filson, seconded by Councilor Douglass, to accept Peaceful Way as a Town Road, inclusive of all deeds and agreements included in the meeting materials.

VOTE: 4-3 (Copp, Edes and Storey-King opposed) MOTION PASSES

**23 – 124 To authorize the Town Manager to accept payment for delinquent taxes in the amount of \$2,299.17 on property identified as tax map R07/Lot 69.**

Chairman Segrist said that this is the same process as other instances in the past where we have accepted delinquent property tax payments. This will pay fiscal year 2021 property taxes in full and a portion of fiscal year 2022 property taxes.

Chairman Segrist asked for any public comment.

No public comment.

Motion by Councilor Copp, seconded by Councilor Vail, to authorize the Town Manager to accept payment for delinquent taxes in the amount of \$2,299.17 on property identified as tax map R07/Lot 69.

VOTE: 7-0 UNANIMOUS

**VI. NEW BUSINESS**

**Councilor Copp** – he donated \$20 to the food pantry, as he does at every meeting. He asked the Town Manager what the cost is of the Thanksgiving baskets that are passed out to the food pantry customers.

Town Manager Shane said they cost approximately \$150 each and the food pantry will pass out 85 this year.

Councilor Copp said this is amazing and a very worthy cause. He donated \$150 to buy one basket.

**Councilor Vail** – he also committed to buying one Thanksgiving basket for the food pantry.

**Councilor Filson** – we had a great walk through the Town Forest with the Town Forrester and some of the Forestry subcommittee members. It was very eye-opening to see the grinding and spraying that was done to fight the invasives species.

On November 16<sup>th</sup>, the Lands & Conservation Commission in conjunction with the Maine Coast Heritage Trust, is going to be doing a presentation on invasive species at 6:30 p.m. at Val Halla. She encouraged folks to try to attend.

**Councilor Douglass** – no new business.

**Councilor Edes** – he thanked brothers Chris and Skip Yale for their donation of moose meat to the food pantry.

Our thoughts and prayers are with the people of Lewiston.



**Councilor Storey-King** – we learned that former Town Councilor, Tom Gruber had a fall recently and has not been feeling well. She sent well wishes to Tom on behalf of the Town Council.

There is a taxpayer advisory group that has been in touch with her, and they are taking their concerns public. They will be hosting a meeting at the North Yarmouth Community Center this Saturday from 2 to 4 p.m. They are interested in working with North Yarmouth, Cumberland, and the School Board on property tax issues and things that might be affecting property taxes. This is a very diverse group of people who are concerned about information getting shared via social media because it isn't always positive. The group intends to work positively, proactively, and transparently. They want the public to come and share their concerns and thoughts on property taxes.

She is so proud of the Greely football team. Not only is her son the head coach, but several of the key players were her students. We have some amazing athletes, and many Greely students participate in athletics from cross country, to field hockey, soccer, or volleyball. Good luck to those participating in winter sports.

**Chairman Segrist** – since next week is Thanksgiving, he wished everyone in Town a wonderful, happy, and safe Thanksgiving. With all that is going on all around the world he feels very fortunate and blessed to be living in Cumberland.

**Town Manager Shane** – on November 21<sup>st</sup>, we will hold a neighborhood meeting at Town Hall with residents of Spruce Lane to discuss continuous construction projects and how we can help this neighborhood and other neighborhoods deal with that.

Maine Department of Transportation sent us a meeting notice to discuss the bridge replacement on Tuttle Road. Public comment will be accepted between November 8<sup>th</sup> and 26<sup>th</sup>.

## **VII. ADJOURNMENT**

Motion by Councilor Vail, seconded by Councilor Storey-King, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 9:01 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary