

## MINUTES

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, August 23, 2021**

**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 9, 2021 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

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

Paving around Town continues, primarily on the Foreside now. It should be completed within 2 to 3 weeks.

We will be going over the final punch list on the Public Works garage in a couple of weeks.

#### **III. PUBLIC DISCUSSION**

No public discussion.

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

Councilor Gruber made the following motion, Councilor Segrist seconded: to rescind the motion to not adopt the resolution endorsing a Rail Corridor Advisory Council process to consider alternative future uses of the corridor, as proposed by the Maine Trails Coalition, and I move to set a Public Hearing date of September 13<sup>th</sup> to consider and act on a new resolution endorsing a Rail Corridor Advisory Council process to consider alternative future uses of the corridor, crafted by the Cumberland Town Council.

Councilor Storey-King said that her opposition with bringing this item back up is that the room will be packed with cyclists who are in favor of this and the voices of the 20 residents on Middle Road will be drowned out by this process. That is upsetting to her. Increasingly in our world, the majority gets to decide how personal property owners use their land.

Chairman Vail said that we are here to represent everyone and should not allow the crowd that shows up to sway our vote. It is for us to make sure that we are considering everyone's vote and he will certainly be acting in that manner.

Councilor Edes asked the Chairman how we got here.

Chairman Vail responded that the Town Manager felt that we had missed an opportunity and that we have the connections to ensure that we have a seat on this advisory committee.

Councilor Edes said that this bothers him. It is not the Manager's job to set legislation. This Council took a vote at the last meeting on this, and he cannot understand how we went from a 5-2 vote to not support this to rescinding the vote tonight.

Chairman Vail said that he takes the blame for this. The Town Manager was not present at the last meeting. If he had been, he believes that the vote would have been different.

Councilor Segrist said that two weeks ago, we had some individuals stand up and raise some concerns about this potential project, which are legitimate concerns that need to be addressed. But we didn't have anybody here that supported the project, because this appeared on the agenda quickly and we really didn't get a chance to hear from a significant number of folks in our Town that support this. If we truly want to know what the best thing for the people of Cumberland is, we need to have a larger debate where all sides are present. He feels that we should make our support for this idea contingent on having a seat at the table to ensure that we can be part of the process and raise the concerns of the abutters. If we don't do that and we just choose not to endorse any resolution, his concern is that Towns like Falmouth and Yarmouth are going to be deciding Cumberland's fate. If we're not part of the discussion, we're simply choosing to be on the outside with our arms folded, saying, I don't like that you did this.

Chairman Vail asked for any public comment.  
No public comment.

VOTE: 5-2 (Edes and Storey-King opposed)      MOTION PASSES

**21 – 086 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland County Fair to be held from September 26th – October 3rd at the Cumberland Fairgrounds.**

President of the Cumberland Farmer's Club, Lyle Merrifield said that the fair will be held this year. They will keep an eye on the CDC guidelines and enforce those accordingly. All the agricultural fairs have had record setting numbers this year. They are confident that they will have a successful and safe fair.

Chairman Vail opened the Public Hearing.  
No public discussion.  
Chairman Vail closed the Public Hearing.

Councilor Foster said that there was concern raised at a prior meeting about the number of cones placed in the road by the front gate, making it difficult for cyclists to maneuver safely past the fairgrounds.

Town Manager Shane said that he would work with the Police Chief and Mr. Merrifield to make sure that the cones are placed in a manner, so people feel that there is a room to maneuver while keeping the cyclists and pedestrians safe.

Councilor Copp suggested temporary signs that read "Cyclists May Use Entire Traffic Lane".

Motion by Councilor Copp, seconded by Councilor Gruber, to approve the Mass Gathering Permit for the Cumberland County Fair to be held from September 26th – October 3rd at the Cumberland Fairgrounds.

VOTE: 7-0

UNANIMOUS

**21 – 087 To hold a Public Hearing to consider and act on a Mass Gathering Permit for Binnie Media’s Fall Ultimate Yard Sale to be held on October 9<sup>th</sup> from 9:00 a.m. to 3:00 p.m. at the Cumberland Fairgrounds.**

Chairman Vail opened the Public Hearing.

No public discussion.

Chairman Vail closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Gruber, to approve the Mass Gathering Permit for Binnie Media’s Fall Ultimate Yard Sale to be held on October 9<sup>th</sup> from 9:00 a.m. to 3:00 p.m. at the Cumberland Fairgrounds.

VOTE: 7-0

UNANIMOUS

**21 – 088 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Maine Principals’ Association South Regional Cross-Country Championships to be held on October 23<sup>rd</sup> from 9:00 a.m. to 3:30 p.m. at Twin Brook.**

Chairman Vail opened the Public Hearing.

No public discussion.

Chairman Vail closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Copp, to approve the Mass Gathering Permit for the Maine Principals’ Association South Regional Cross-Country Championships to be held on October 23<sup>rd</sup> from 9:00 a.m. to 3:30 p.m. at Twin Brook.

VOTE: 7-0

UNANIMOUS

**V. NEW BUSINESS**

**Councilor Segrist** – there was a great meeting before the Council meeting this evening to discuss potential ways that we can help our seniors stay in their homes longer. This will be building on the rebate program that we currently have.

**Councilor Storey-King** – the Town Manager notified her today that the “Beach to Bacon” road race that will be held during our Bicentennial celebration will have to be re-named. We were notified by the attorney for the Beach to Beacon race that we cannot use that name. The Bicentennial Committee has done amazing work and the celebration will be held on September 18<sup>th</sup> at Twin Brook.

There is a DVD available for sale entitled “Cumberland Maine Building Community and Memories for 200 Years. It is very special, and Judy Gagnon did the lion’s share of the work on this project. Copies can be purchased at Town Hall, the Library or by contacting Carolyn Small or Judy Gagnon.

**Councilor Gruber** – the Food Pantry served 60 families last week. The numbers are coming down a bit, which is a good thing.

**Chairman Vail** – he did a little preliminary legwork with the eldercare facility on Chebeague Island. They will get back to him with more information. He also spoke to Avesta Housing and invited them to come meet with the Town Council and have a conversation about what we can do as a municipality and what we can do collaboratively with them.

We had a very productive meeting with the Planning Board last week.

The Town Council has received their committee assignments on the goals list that was developed. He will be asking for committee updates at future meetings under new business.

**Councilor Foster** – when the Town Council had a joint meeting with the Planning Board recently, we gave the Town Planner a heads up that we would be asking for her to come to a future Council meeting to discuss the Comprehensive Plan process.

**Councilor Edes** – no new business.

**Councilor Copp** – he and Councilor Segrist are on the Town Council goals committee to inventory all the businesses in Town. They also want to make a list of all the commercial land available in Town that a business may relocate to.

There are 4 weeks left until the Cumberland Fair. There is still time to donate to the 4-H auction. This is a very worthy cause that helps the 4-H kids and the Food Pantry.

He had the opportunity to watch the Bicentennial DVD and it is phenomenal.

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

Reconvene to regular session at 8:45 P.M.

- VII. ADJOURNMENT**  
Motion by Councilor Foster, seconded by Councilor Gruber, to adjourn.  
VOTE: 7-0                      UNANIMOUS  
TIME: 8:45 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary