

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

Monday, March 11, 2024

4:45 P.M. Executive Session

5:00 Budget Workshop

7:00 P.M. Call to Order

4:45 P.M. Call to Order

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

- I. **EXECUTIVE SESSION** pursuant to 1 M.R.S. 405(6)(A) to discuss the interview process for the position of Town Manager.
Moton by Councilor Edes, seconded by Councilor Filson, to recess to Executive Session pursuant to 1 M.R.S. 405(6)(A) to discuss the interview process for the position of Town Manager.
VOTE: 7-0 UNANIMOUS
TIME: 4:47 P.M.
- II. **RECESS TO WORKSHOP AT 5:08 P.M.**
- III. **REGULAR TOWN COUNCIL MEETING BEGINS at 7:00 P.M.**

Chairman Segrist read the following statement:

To the residents of Cumberland, thank you to all of you who turned out to vote in last week's primary election which, in addition to the Republican and Democratic presidential ballot, also included a municipal proposal to construct a 107-unit affordable housing project on Drowne Road.

With 3,717 (or 53%) of Cumberland's registered voters participating, it was a great turnout for an important election, and we appreciate everyone taking part in the democratic process and for making your voices heard.

With respect to the proposed affordable housing project on Drowne Road, the results of the election were clear: a significant number of Cumberland voters had serious concerns about the proposal and what it might mean for our community. And while we all on the Council have now heard and have fully agreed to respect the voters' decision as it relates to this project, it is important for us all to not lose sight of this project's primary objective: to help make Cumberland a more affordable place to live for people from all ages and economic backgrounds and to do our part to help mitigate the affordable housing crisis facing our community, state, and country.

So, where do we go from here? Well, with two of the three affordable housing projects proposed by the housing task force now off the table (with only the proposed Chase development in West Cumberland being left), the issue of housing affordability in Cumberland will likely only get worse, as fewer and fewer buyers will be able to afford the ever-increasing cost of housing in our community. So, I am hopeful that, even though this particular proposal failed, this and future Councils not shy away

from other opportunities to diversify our housing stock and to strive to make Cumberland a more affordable, vibrant, and inclusive community in which to live.

Finally, it is also critical that, as we move forward from last week's vote, we do so as a unified and collective community. One where we strive to see the best in each other. One where we seek to understand, not to demonize or to judge. And one where we recognize and appreciate our collective responsibility to the greater good, regardless of how we may have voted in a particular election. Because our town, like any issue, is larger than any one vote, and it is incumbent upon all of us to come together, to reflect, to heal, and to question what role we can play to help contribute to finding a solution to the many important issues facing our town.

Thank you.

IV. APPROVAL OF MINUTES

Motion by Councilor Copp, seconded by Councilor Vail, to accept the February 26, 2024 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

V. MANAGER'S REPORT

State Representative, Steve Moriarty, said that for some time now the Town has been working on a partial property tax deferral program for seniors. There was a bipartisan 7-to-2 vote in favor of the bill in January. Then it went to the full Senate and got some great preliminary votes. Last week both the Senate and the House voted unanimously to enact the bill. This is an accomplishment that the Town can be proud of for having put forward such a great idea. The Governor could still veto the bill, but that is unlikely.

Chairman Segrist thanked Representative Moriarty for his help in getting this done, as well as Senator Pierce for co-sponsoring the bill.

VI. PUBLIC DISCUSSION

Bruce Sherwin of Blanchard Road said that Cumberland's Anna DeWolf and Gorham's Mackenzie Holmes are both doing some amazing things in college basketball. They are fun to watch.

Mr. Sherwin said that there was an editorial in the Sunday paper that dissed Cumberland taxpayers. In his opinion, there is a potential liable suit there. It appeared that they did not talk to anybody who voted no on the affordable housing project. He and a lot of people in this Town are not against affordable housing. They are against this deal. It was a bad deal. He would like to see a project that makes sense for more people.

Mike Schwindt, Chairman of the Lands & Conservation Commission read the following statement:
Mr. Chairman, members of the Town Council, I'm Mike Schwindt, Chair of your Lands and Conservation Commission. I need to supplement the information from your last meeting, as contained in the minutes that you just approved.

On February 26, as part of your agenda item 24-013, I presented a report from the LCC concerning the Drowne property, then under consideration as a location for affordable housing. The report was prepared consistent with our ordinance which says, in part, that we must offer input and

recommendations to the Town Council on any proposed development or changed use of Town-owned property (30-15.D). Furthermore, the ordinance requires that we make recommendations on how gifts are administered subject to the terms of the gifts (30-15.E).

The report went through 9 iterations, including a version in our January minutes and an updated version as part of the February minutes. Both sets of minutes were approved at subsequent meetings and so are the official minutes.

When you read the February minutes, you see that a fair amount of discussion occurred before a vote was taken to approve the document. The final vote was 7-1. Consensus, not unanimity.

In developing the multiple iterations, all twelve commission members had the opportunity to suggest language changes to the draft. Eight members commented on the January version. One substantive comment was considered at the February meeting. Following the February meeting, everyone had a last, a final opportunity to fine tune the language. Again, only one significant change was offered, and it was incorporated verbatim in the 10th version, the final report, which I presented to you.

Consequently, I was a bit surprised to hear that the report did not come from the Lands and Conservation Commission; that it came from a group of citizens with a different agenda.

I do not know who this other group of citizens might be, who they might represent, or what their agenda may have been, but I can assure you that no one outside the LCC played a significant part in getting to our recommendations.

Mr. Chairman, in summary, the report and recommendations were based solely on LCC member input and were in accordance with the duties of the Commission as stated in the ordinance.

Thank you.

Kevin Balvin of Longwoods Road read the following statement:

I do not recognize your limitation of the First Amendment with your five-minute time limit for public comment. Congratulations to the 69% no vote majority. But we still need a long-term plan on how we are going to transition from a historically rural and past heavy agricultural townscape, to a more suburban, with urbanized density pockets of urban infrastructure, within the town of the largest metropolitan centers in the state. It's going to happen. Our town is going to change, no matter if you like it or not. That requires the entire community to come together. From the name calling and hostilities in what is supposed to be a tolerant community, I highly doubt that's going to happen by November of this year, or ever, unfortunately. The real reason I'm here tonight is because somebody within our community called all the no voters out and said that they can't wait for us to be here and share all our ideas on how to make affordable housing in Cumberland work. I have ideas that might help. Encourage high density business growth along major corridors like Route 100. Turn that into more of an old school Main Street with on-street parking that would create a requirement for speed limits to be reduced. We all want the speeds to be reduced in the west end of Town, down that Route 100 Corridor we all complain about accidents. Why don't we densify that area and work with local business owners and local landowners along that corridor and build that area up with businesses on the bottom, taxpayers on the top, for low-income affordable housing? That would help. Allow residents struggling with one of the highest mil-rates in the area to split their lot and work with them

to create affordable housing, while at the same time increase their equity of said fixed-income earners to help offset taxes. You're telling me, a senior resident in this Town with a four-acre lot, that I can't split into two and then work with the town and work with a developer to make generational wealth for that person to stay in this community? That's not an option? That wasn't part of the plan? Remove restrictions and work with current residents who are older to create smaller living spaces on their own property that would encourage generational flow, like you said you wanted. You want these older residents that raised their family here to move into a smaller spot. Why would you make them move into a 100-person condo unit, away from their kids and their family, when they could be in the backyard helping raise them? Reasons from a no voter that voted against mis-purposed land that should have gone to the school, but a developer has to make money instead? We have to give it to affordable housing? Shame that you let us tear each other apart about where to build a new school when we had acreage right here where we could have built it. Possibly even had a conversation about it if it wasn't possible. A no voter that voted against a plan that had one developer from a highly sought-after community right outside of Portland. You're telling me this isn't a place where everybody wants to live? A no voter that voted against a local government that had the appearance of shoving this through. We didn't go back out to RFP for a second opinion or expand our search. You held three garbage meetings on a Thursday evening when it's one of the most intrusive times of the week. Kids' bedtime is 7 p.m. when most parents are home putting their kids to bed. And most importantly, I don't trust your numbers at all. Your experts were spot on with declining school enrollment when we closed two schools down. Great job guys. I don't believe the numbers. Make the numbers more believable. I would be remiss if I didn't make this last point: you all know we wouldn't be in this situation if we stop getting in so many illegal wars that you continue to allow to keep going on. Trillions of dollars, global war, and terror. How are our kids doing in those in those portable classrooms? Trillions of dollars could have built those, yet no accountability. None. Zero. It's easier to moan about your fellow neighbor than actually fix and hold people accountable for the real problems going on in our country.

Denise Thorsson of Friar Lane said that we already do a property tax assistance program for seniors locally, but there is another section in State statute that she thought was interesting. It is a volunteer program for anyone age 60 and older where they are able to be paid up to 100 times the minimum wage (\$415) annually to provide volunteer services to the municipality. This could be a way for them to not only be incentivized to volunteer, but also allow seniors on fixed incomes to earn some extra income. Regarding the affordable housing issue, we do need more options, and the Comprehensive Plan review will be a good opportunity to see what can be done. Accessory Dwelling Units (ADU) are also a good solution, and she thinks there may be State grants available. Mobile home parks are also something to think about. Not a popular solution, but she has seen some that are very nice communities.

VII. LEGISLATION AND POLICY

24 – 017 To hold a Public Hearing to consider and act on a Minor Mass Gathering Permit application for Portland Ovation's "Circus Smirkus" to be held August 5th and 6th at the Cumberland Fairgrounds.

Chairman Segrist said that this is the first time that this event has come to Cumberland. Their application is complete, and the expected attendance is approximately 600 people.

Chairman Segrist opened the Public Hearing.
No public comment.
Chairman Segrist closed the Public Hearing.

Motion by Councilor Edes, seconded by Councilor Filson, to approve the Minor Mass Gathering Permit application for Portland Ovations “Circus Smirkus” to be held August 5th and 6th at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS

24 – 018 To appoint members to vacant board and committee seats.

Motion by Councilor Copp, seconded by Councilor Storey-King, to appoint: Jacquelyn Young to the Prince Memorial Library Board, Brendan Wormell to the Lands and Conservation Commission Forestry Subcommittee, and Steven Scrivani and Leonard Sunderraj to the Personnel Appeals Board.

VOTE: 7-0 UNANIMOUS

24 – 019 To set a Public Hearing date of March 25th to consider and act on a liquor license application for Fast Track Investments, LLC operating at the Cumberland Fairgrounds.

Chairman Segrist said that this is a new application, and we are setting the Public Hearing date for March 25th. He asked for any public comment on this item.

No public comment.

Motion by Councilor Copp, seconded by Councilor Vail, to set a Public Hearing date of March 25th to consider and act on a liquor license application for Fast Track Investments, LLC operating at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS

24 – 020 To consider and act on authorizing the Town Manager to execute a lease agreement with US Bank Equipment Finance for the lease of 2 photocopiers.

Town Manager Shane said that the Town Attorney has not yet had an opportunity to review the lease agreement. He requested that this item be tabled.

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

VOTE: 7-0 UNANIMOUS

VIII. NEW BUSINESS

Councilor Copp – he donated \$20 to the 4-H fund that benefits the Food Pantry. He urged others to consider doing the same. This is a very worthy cause.

Councilor Vail – the referendum vote on the affordable housing project is over and we have heard some ideas, and he hopes that we hear many more. The conduct of people in this community has to be moved up a notch. We need to treat each other better. His grandmother was born in 1989 and saw a tremendous change in this country. He’s not sure how she would handle the internet with the

instant source of information and the ability to connect with people. We can disagree on any topic, but the goal is for us to come together and find common ground. Some of us have been here for a long time and some are recent arrivals. At one time he was a recent arrival. At the end of the day, he will always welcome new people to this community and encourage them to become active in the community. We all have an opportunity to do better.

Councilor Filson – she liked Councilor Vail’s comments about people being new to Town. She is relatively new to Town and her first real friendship in Cumberland was with a woman by the name of Jean Boyce who used to frequent Spring Brook Market. She was a wonderful woman. One of the things that brings people together in this community is understanding where everyone comes from. She hopes that moving forward, no matter what the topic or challenge happens to be, we can continue to have those conversations. She also hopes that we can heal and listen to each other.

The Lands & Conservation Commission met last week. On May 5th from 9 a.m. to 3 p.m. there is going to be a tree planting day at the community orchard, and everyone is welcome to come help plant the trees.

Councilor Douglass – she would like to get a West Cumberland community meeting on the calendar soon.

In regard to the Town Manager hiring process, we have made some great progress and have narrowed it down to a small number of candidates. We hope to be making an offer to someone within the next few weeks.

Councilor Edes – he thanked Chairman Segrist for the great opening statement that he read this evening. It was heartfelt and sincere, and he feels that it expressed the thoughts of the entire Town Council. There were Town Councilors who were disappointed by the result of the election, and there were people, like himself, that were grateful. One of his fellow Town Councilors said that they look forward to seeing what the Council can come up with in the future. That is 100% correct. We need to come up with a plan for the future. He believes in organic growth in this Town. He proposed that the Ordinance Committee look at our Accessory Dwelling Unit Ordinance to see if we can encourage growth by allowing people to split their lots or build a smaller dwelling on their property.

Councilor Storey-King – she also appreciated Chairman Segrist’s remarks. Thank you very much. If she has ever made anyone feel like an “us or them”, that has never, ever been her intent. She truly believes in her heart that we are all Cumberland. With every challenge, there is opportunity. Moving forward we have the opportunity to update our Comprehensive Plan in order to get a real sense of where we’re at and where we want to be. She hopes to have the opportunity to be on the next Comprehensive Plan Committee.

We have a Joint Standing Committee meeting in April with North Yarmouth where we will discuss the cost sharing agreement that was discussed in a Council workshop last month.

The Library Expansion Committee met last week, and Bill Shane was our guest. He reviewed what had been done to date in regard to moving the Historical Society building, bringing the partners together, and a plan moving forward.

The Planning Board meets next week and on their agenda is a housing development in West Cumberland that offers some affordable housing.

To follow up on Mr. Sherwin's comments about Maine women in basketball, Anna DeWolfe is just one of just three young women in 10 years from Cumberland who have been named Miss Maine Basketball. One was her niece 10 years ago, and one was nominated last week. Her name is Katie Fitzpatrick and she played for Chevrus.

A young man named Charlie Saffian was recently nominated to the Down Syndrome USA team. He is one of three swimmers from the Northeast, and he swam on the USA Special Olympics team. This is his second nomination, and he will go to Michigan to compete.

Chairman Segrist – a reminder to everyone that we are in budget season now. We have budget workshops on March 25th, April 8th, and April 22nd. The Town Manager will present the budget on May 13th and the Town Council will hold a Public Hearing on the adoption of the FY'25 budget that evening.

IX. ADJOURNMENT

Motion by Councilor Filson, seconded by Councilor Douglass, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 8:04 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary