

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

Monday, January 8, 2024

6:00 P.M. Workshop with Flash Vote

6:30 P.M. Finance Committee Meeting re: Acceptance of Bradbury Way as a public road

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Storey-King, seconded by Councilor Copp, to accept the December 11, 2023 meeting minutes as presented.

VOTE: 6-0-1 (Edes abstained) MOTION PASSES

II. MANAGER'S REPORT

Town Manager Shane introduced Greely students Sam Anania, Max Allen and Shawn Allen.

Shawn Allen talked about Backpacks for a Change, a non-profit organization that he and some friends started in order to raise money and give back to their community. This year, \$8,000 was raised at their fundraising event. They purchased \$50 gas cards and donated them to the Food Pantry, and they have an additional \$1,000 to donate to the Food Pantry.

Town Clerk, Jenn Doten reported on what's happening with upcoming elections. Maine is going to a semi-open primary for the presidential primary in March and June. People who are unenrolled will now be able to choose one party ballot to vote. There will be a Democratic and a Republican ballot in the March election. The rest of the election rules will not change, and if you are enrolled in a party, you will receive that party's ballot. If someone is enrolled in one of the other parties, they don't have a party ballot, so they will not vote. The rules are staying the same for people who want to change parties. If someone no longer chooses to remain in the party that they are in, they can unenroll or go to a different party, and that will put them in a 15-day waiting period before they are eligible to vote. If someone wants to unenroll, they have to be sure to do it prior to the 15-day waiting period or they will not be eligible to vote.

III. PUBLIC DISCUSSION

Bruce Sherwin of Blanchard Road asked the following questions and requested that someone get back to him with the answers:

He found on the Town website, under the Active Living 55+ page, where it refers to the land that Ocean View currently sits on as being set aside in 2017 for affordable housing. Ocean View is far from affordable housing. He would like to know how this land was switched from affordable housing to the Ocean View project.

Town Manager Shane responded that was a Senior Housing Overlay District, not affordable housing.

Mr. Sherwin said that anyone can look at the website under Active Living 55+ and refer to page 12 to see this.

His second question is if Westbrook Development Corporation is a nonprofit organization, and if that will affect the TIF payment from them.

Town Manager Shane responded that it will be a payment in lieu of taxes (PILOT) with a nonprofit.

Mr. Sherwin said that it has been brought up many times by many people who have asked how this project will affect property taxes. We would like to know the answer to that question.

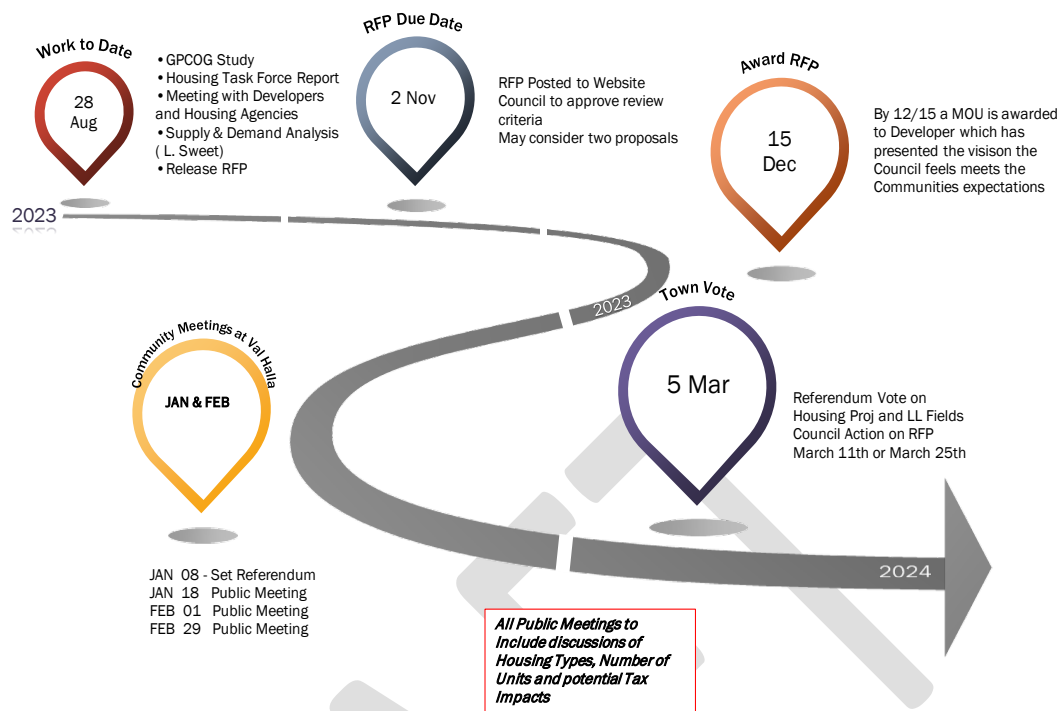
Chairman Segrist said that is a complicated question and we are analyzing it and will be prepared to go into great detail as part of our 3 community meetings that are coming up.

IV. LEGISLATION AND POLICY

24 – 001 To hold a Public Hearing to consider and act on scheduling an advisory referendum on the proposal for an affordable housing project on Drowne Road from Westbrook Development Corporation.

Chairman Segrist said that before opening this agenda item up for public comment, he wanted to take an opportunity to provide the public with a brief overview of the various steps that the Town Council has taken relating to this topic and to highlight the very much-appreciated hard work that has been put in by so many in our community to help get us to where we are today.

As you can see from the timeline below, for the last several years, members of the Town Council, the town staff, and countless hard-working volunteers have been aware of and have been carefully considering the issue of affordable housing in our community. And while the timeline on the screen goes back five (5) years, the issue of affordable housing in Cumberland is certainly not a new topic and is one that has been discussed for decades.



For instance, in the Town of Cumberland’s **2014 comprehensive plan**, it states that the town should seek to “... make available quality affordable housing for people of all ages and income levels.” *see* 2014 comp. plan at 3.

Furthermore, the **2014 community survey**, which accompanied and helped drive much of the recommendations in the 2014 comprehensive plan, also found that “73% [of polled residents] support town policies that would encourage affordable housing for elderly households” and that “[a] majority support policies that would encourage the development of affordable housing for young families.” *see* 2014 comp. plan at 9.

Fast forward to almost a decade later, the Town of Cumberland conducted yet another **community survey in 2022**, in which more than 5,000 residents participated and 58% of respondents “supported” some form of affordable housing in Cumberland, including 63% supporting affordable housing for young families and 76% supporting affordable housing for seniors. *see* 2022 Cumberland community survey at 139.

This history, and the corresponding responses to various community surveys, not only show that the issue of affordable housing in our community has been around for some time, but also that a majority of polled residents appear to be in favor of the Town of Cumberland doing something to address this issue.

So, on **July 26, 2022**, the Town Council formed an **Affordable Housing Task Force** made up of ten (10) community volunteers to study the issue of affordable housing in our community and to provide recommendations to the Town Council on how best to utilize the various legal and financing tools available to better diversify Cumberland’s housing stock and to potentially add additional affordable rental housing units in our town. The Task Force issued its final report to the Town Council on **January 23, 2023**.

Based on this report, the Council then engaged LDS Consulting Group, LLC (LDS), a housing-based market research firm, to perform an independent **supply and demand analysis** of Cumberland’s current housing market to determine the demand for affordable housing in our community and to highlight what types of affordable housing options might make sense. The consultant issued her report to the Town Council on **July 7,**

2023, which stated that there was “... an immediate need for additional affordable rental housing” (see LDS report at 7) and also recommended the various types of housing that would best meet that need.

A month and a half later, on **August 24, 2023**, the Town Council held a **public workshop** with the housing consultant to provide an opportunity for councilors to ask any follow up questions they had and to better understand the findings of the report.

The following week, on **August 28, 2023**, the Town Council voted to move forward and issue a **request for proposals (RFP)** to various affordable housing developers in the area for an affordable housing project to be constructed on the town-owned property on Drowne Road. Responses to the RFP were due on or before **November 2, 2023**.

While the RFP was issued to several affordable housing developers, only one – **Westbrook Development Corporation (WDC)**, a local non-profit – responded to the town’s RFP. In it’s response, WDC proposed constructing three (3) separate buildings on Drowne Road made up of **71 single bedroom units (with 36 being reserved for seniors), 21 two bedroom units, and 15 three bedroom units**, for a total of **107 affordable housing units** for households earning less than **60% of the area median income**. The Town Council then had several follow up meetings with WDC to better understand the RFP response and to answer any follow up questions councilors may have had.

Finally, just last month on **December 11, 2023**, the Town Council voted to authorize the Town Manager to enter into a **Memorandum of Understanding (MOU)** with WDC for the purpose of pursuing the proposed affordable housing project on Drowne Road and to set a public hearing date of **January 8, 2024** (i.e., today) to consider scheduling an advisory referendum for the project to be held on **March 5, 2024**.

This brings us to today. All of us on the Council feel strongly that, given the underlying importance of this project, the ultimate decision as to whether or not to move forward should rest with the voters, and each of us on the Council have vowed to respect and follow the voters’ decision, whatever that may be.

It should also be noted that, since receiving the RFP response from WDC, the Town Manager and his staff have been working diligently to conduct a detailed impact study to determine what, if any, the potential costs might be to Cumberland taxpayers should such a project move forward. these costs and the manager’s initial assessment are included in the current council packet this evening and will be discussed in greater detail as part of the three (3) upcoming community meetings we have planned on **January 18th, February 1st, and February 29th** at Val Halla. We encourage all members of the public to register and attend.

With that, thank you to my colleagues on the Town Council, the town staff, and countless volunteers for your hard work over the past several years to get us to this point. I would now gladly welcome members of the public to come up to the podium and to provide any comments, questions, or concerns you may have.

Chairman Segrist opened the Public Hearing.

Denny Gallaudet of 67 Range Road read the following:

On behalf of my cousin, Elizabeth Sturdivant Drowne, I speak in opposition to the project before you today.

In her 1891 will Elizabeth gave the 105-acre Town Forest to the Inhabitants of the Town of Cumberland with two conditions: first, that the property shall not be sold and second, that income from the property shall be expended for the cause of education and that cause alone.

This project clearly circumvents the intent of Elizabeth’s will. The property will be leased for 99 years to an out-of-town developer at no cost. This is a sale for all practical purposes. Also, the resulting subsidy is not for the cause of education. Based on a legal opinion open to many questions, the Town nevertheless asserts it can ethically circumvent the will.

I beg to differ.

The Sturdivant family settled in this area over 300 years ago. Elizabeth was born in 1822, a year after the Town itself was born. Her uncle, Captain Ephraim Sturdivant, was one of the town founders and served as

Treasurer for many years. Her first cousin, Eliphalet Greely Jr., made in 1858 the founding gift to establish Greely Institute, now the high school. Elizabeth shared her cousin's passion for education and made it the focus of her gift in 1891.

The Town accepted the gift at the turn of the century after the passing of Elizabeth's husband, Joseph Drowne. It was a good match from the beginning. The Town Reports of those years had a line item for the Elizabeth Drowne Legacy and dutifully recorded the income from the sale of farm crops such as hay and firewood. In 1928, Cumberland became the 7th Maine town to adopt a town forest noting that "the school children of today should be taught the importance of conserving our trees." By mid-century, the Town built the Drowne Road school, consolidating the numerous one room schoolhouses. Little League fields came next, enhancing the physical education curriculum. The Town Forest today has a strong educational component with programs like the Nature Trail and Story Walk. The Lands and Conservation Commission has identified and marked over 70 species of trees, shrubs, and native flowers. These markers are to educate youngsters who have not had the opportunity to learn about native plants because of urbanization.

By its actions, the Town has thus supported the education intent of Elizabeth's will for over 120 years to the present day. It should continue to keep its promises.

In addition to circumventing Elizabeth's will, the project conflicts with the Climate Action Plan recently approved by the Town Council. The CAP calls for increasing – not reducing – conserved land. The CAP calls also for preservation of prime farmland to support local agriculture. 95% of the project is on farmland designated as prime or of statewide importance; high value farmland owned by the Town is quite limited in supply. The Project would cover this prime farmland with parking lots, roads, and large buildings. In sum, I would ask that you reject the proposal before you today primarily because of its location within the Town Forest, created by Elizabeth Drowne's legacy. It is ill considered, hastily assembled and to my family a great disappointment.

Bruce Sherwin of Blanchard Road said that he is once again troubled by the process. This is not the way to do this by sneaking something this controversial and divisive in the country without giving everybody a chance to talk about it. He also doesn't think that it's right to limit public comment to 5 minutes per person. He is feeling picked on.

John Jensenius of 44 Laurel Lane read the following:

As you know, Elizabeth Drowne, in her Will, offered the Town of Cumberland a 100-acre parcel of land. That offer came with conditions, though. The intent of the offer was that the land benefit the school system. The two conditions were that the property never be sold and that any income from the property be given to the school system. The Town had the option of accepting those conditions or, if not, the property would be divided among her descendants. The Town chose to accept the property and the conditions under which the offer was made.

In 1957, a judge ruled that Elizabeth Drowne's Will did not constitute a Trust, and further ruled that the conditions set forth in the Will no longer applied. Basically, the judge ruled that the Town now owned the property and could do whatever it wanted to do with the property.

*To me, there's a difference between what the Town **CAN** do with the property and what the Town **SHOULD** do with the property. While the Will was not a Trust, the Town did agree to the conditions set forth in the Will when it took possession of the property. So, regardless of the judge's ruling on what the Town can do, to me, the Town has a **moral obligation** to honor the intent of Elizabeth Drowne's Will and the conditions under which the Town took possession of her property.*

I hope you agree with me, and I hope that you will reconsider moving forward with the proposed project. Instead, I would suggest that the Town consider putting the property, with its current features and structures, in a conservation easement that is in accordance with the conditions under which the Town accepted the property.

Rick Doane of 4 Catalpa Way said that there were conversations during the November meetings regarding the pushback from the public on the 110-unit design. Several members of the Council said that they heard the concern, and they would look at a reduced scale project. We are now here with a 107-unit project. He wondered if there was any effort to back down the number of units in the course of the discussion with Westbrook Development.

Town Manager Shane said that this is the proposal that we put forward.

Mr. Doane asked if we at least asked to look at options of a smaller scale.

Town Manager Shane responded that we asked that a portion of the units be dedicated for senior housing.

Mr. Doane said that it is disappointing, and one could even drift towards disingenuous, if the Town Council said that they would hear the feedback and made no effort to see if there are alternative designs.

Town Manager Shane said that the original design was over 4 stories, at least 50 feet in height. One story was eliminated from the proposal.

Mr. Doane asked if Westbrook Development is going to use their considerable waiting list to bring in individuals that may be starting new lives here in Maine and not have income streams. If that is the case, we should consider the impact on general assistance and related topics, as well as the schools. He also is curious if there are criteria in this project that gives any kind of favorable treatment to Cumberland residents or people who work in Town.

Chairman Segrist responded that there are concerns about the legal ramifications in allowing Cumberland residents only, due to the federal funding and violating the Fair Housing Act. That said, there are often ways that communities can creatively and lawfully market and ensure that local residents are made aware of these projects possibly before others who are outside of the town.

Teri Maloney-Kelly of Maloney's Ridge Way said that Chairman Segrist mentioned financial information that if you come to the public meetings, you can see. She asked if there is information out there right now that the public should know about.

Chairman Segrist responded that it is in the Council packet that is posted on the Town website.

Mrs. Maloney-Kelly said that she actually came here tonight to congratulate the Town Council for taking this to referendum, as it should not be the decision of only the Town Council. However, she feels that March is a ridiculous time for the election. People, like herself, who have to make financial decisions because we have limits, need to know the full picture. That is another disappointment through this process. The lack of transparency as a body to let folks know what's really happening in our community. We've never had a March election, we have a lot of folks in this community who are not around in March, and the process of getting an absentee ballot is difficult. She feels that the referendum vote should be in June so the citizens of this Town have a better financial picture of what our future looks like here in Cumberland in the next 1 to 5 years because it will be ugly.

Bruce Sherwin of Blanchard Road asked if there are going to be Section 8 apartments.

Councilor Edes responded that if someone is Section 8 qualified, they can live there.

Mr. Sherwin said that he has not seen anybody come to a meeting and say that they want this project because they want to live there.

Ken Leeman of Tacoma Lane said that he is mindful that March is going to be an interesting election day. If there is only 1 Democratic candidate running for President, there's going to be a very low turnout for Democrats. He thinks that is not a very prudent day on which to hold an important referendum of this sort.

Bruce Sherwin of Blanchard Road said that he agrees with Mr. Leeman. March 5th is a very poor day to hold an election. This should be on the same referendum as the new school so people are aware that there are 2 issues that will affect them greatly.

Jana Spaulding of Skillin Road read the following:

I think the question I have struggled most with is why do the officials that we elected to represent our voices & interests seem more concerned about theoretical future residents than current property owners who have desperately & passionately told them how much they are struggling, how scared they are that they won't be able to afford to remain in their homes, and realize the futures they've worked for. According to the US Census, in 2022 the median Cumberland renter paid \$1554 in household expenses. The median Cumberland mortgage holder's household expenses - mortgage plus utilities and taxes - was \$2703. Those residents fortunate enough to have paid off their mortgages paid \$1103 monthly. That would include some but certainly not all of our longest-time senior homeowners. The average social security check was \$1666. But the more of these meetings I have attended, the more evident it has become that it has never been about PEOPLE at all. It's about entries on a ledger. It's not about the individuals or families who own homes on Skillin Rd or George Rd or those on Wyman Way or Ole Musket Rd. Or about families or seniors or single income homeowners. It's only about contributions to the municipal coffers. If that wasn't evident before, the statement attached to this project makes it clear. There's no talk of moral imperatives to help those "less fortunate" or even an acknowledgment of an awareness of the very real struggles of current residents or the impacts this will have on those most vulnerable, and any impact on taxes via impacts on the school district are dismissed as foolish and wrong with no explanation, just 'we say adding 36 new students (2 classrooms) will only have negligible impact on the annual budget and need for a new school, trust us.' If you can't build the corporate tax base, build more & more & more housing. A 20% increase in new households decade over decade. Every housing development is about the tax dollars they'll generate, not the residents who will occupy them. For every private development pursued, million-dollar McMansions and tightly packed multi-unit developments pay more tax dollars than modest homes on ample lots. This particular proposal would generate TIF funds which will be used for shiny new ball fields, emergency communication towers, paving the town hall parking lot, even extending the waterline in West Cumberland so a developer can build yet another housing complex. That would be 72 houses which according to the US Census, would be about 55 more students. It has nothing to do with the people who live in those households created or the people currently struggling to keep up with their household expenses because of the largest education mil rate in the state and the second highest adjusted mil rate in the county. But it is not just about money. It's about residents' lives and futures, or at least it should be. There will be 3 Council seats on the ballot in June, including unfortunate replacements for 2 retiring members who have most consistently represented the interest of residents below the median income, and not just developers and those above the median income. I hope some Town residents are willing to take up the retiring Councilor's concern for all residents, including those currently paying an oppressive percentage of their income to keep up with spiraling household taxes and expenses, and will consider running for one of those seats. Who we select for these positions has never been more important so that residents who are not among the fortunate above median income fold will continue to have a place and a voice in this community, and so this Town will truly be an

economically diverse one.

The following testimony was sent via email:

With a TIF, the town does NOT realize the full property tax for general services because the TIF segregates a good portion of the tax from the proposed development for project uses. TIFs were intended for commercial development that would produce jobs and not burden schools and social services. The apartment proposal turns TIF usage upside down; more burden on school and social services but less property tax available to pay for it. Mr. Shane is wrong to say it will have minimal impact on the taxpayer. The \$3 million for the LL field is a cost to the taxpayer, not free. The \$3 million should be used to offset the burden to the schools and social services associated with the apartments, and would be if this was private development. In this case the taxpayer gets stung twice; has to pay \$3 million (which is collected over as much as 30 years, is not constituted from thin air, and is NOT immediately available) to move the ball fields and does not have use of the \$3 million for schools and social services; it is very harmful to the taxpayer. Mr. Shane is wrong and misleading to say the project will have little impact on the taxpayer. The project is much worse than if raw land was used; it is DESTROYING two historic and excellent playing fields that have served as gathering places for the town for over 50 years; this cost does NOT have to be incurred. You propose to take funds that should be used to offset the school and social services burden to the town because of these new apartments to pay for the LL fields. Please do not let Mr. Shane cow you into making your decision. He has stated to the press that he badly wants this project, but has not been correct on stating the cost to the taxpayer.

We have already have some of the highest property taxes in the state. We have already done a lot for affordable housing, including the Drowne school apartments for which zoning had to be changed to allow a level of density not included in Cumberland's 2000 comprehensive plan. Cumberland residents do not need to be made to feel guilty by a minority of its residents regarding what it does to solve affordable housing. Mr. Edes in one council meeting cited all the affordable housing projects the town has done. The current proposal violates the original comprehensive plan (otherwise a zoning change would not have been needed for the existing Drowne school apartments), and will cost the taxpayer a lot.

Thank you,
Tim Michalak

I am writing to you today to express my concerns with holding a referendum on March 5th, 2024, regarding the Drowne Road Affordable Housing project currently under consideration.

Why is the Town Council pushing this complicated and controversial project so hard and fast? This decision will be a “forever” decision for our community. It needs more objective analysis by Town Councilors than has been shown to date.

Cumberland voters need much more objective information, i.e. “tell”, rather than the hard “sell” we have received to date from the Council and Town Manager on this issue that is dividing our town. If the upcoming meetings are anything like the Town Council’s approach so far, I am worried about an impartial presentation. It simply does not have to be just citizens pointing out the potential negative ramifications of this controversial issue. We need to hear more from Councilors displaying some objectivity on this.

March 5th is primarily a Presidential Primary voting event. With Joe Biden unopposed on the Democratic side there will likely be a very low turnout of Democratic voters. The Republican turnout will very possibly be a much stronger turnout as that party has a real and controversial decision to make. Because of these two factors, the actual result may be too tainted in one direction. Any referendum on this primary voting day may not reflect an accurate picture of the town’s voters’ opinion on this issue.

I strongly feel that this affordable housing referendum should be held at the same time as the new school referendum as both will affect residents and property taxpayers greatly. The two referendums should

not each be held as their own “vacuum” referendum as voters need to consider the impact of both when voting. Both should be held on a voting day that is much more consequential than the March 5th primary day.

Respectively submitted –
Bruce Sherwin
Blanchard Road

I am writing in support of postponing the proposed referendum vote on the Drowne Road housing project, until June. Hopefully by then, the public will have been made aware of the studies that will have been completed on traffic, environmental impact, taxes and schools. Many people in town are still unaware of this proposal and it seems prudent to allow plenty of time for the community to be informed. Just having this information for those able to attend the Thursday night informational meetings seems limiting. I’m not sure what the hurry is to schedule this referendum for March. Please listen to all the current residents of Cumberland. Thank you.

Cynthia Farris
29 Wyman Way

I am writing to offer comments on the proposed referendum being considered at today's Council meeting.

- The Referendum vote should be held in June, not March. Voters need to understand the full impact of both the building proposal from the school and the affordable housing project before voting - they should be considered together in June.
- The Town Manager's report glosses over tax impacts, claiming they will be minimal. It does not pass the straight face test that this project will have no impact on taxes - it is designed to attract families and the school is already overcrowded.
- How will the increase in traffic through VG and surrounding neighborhoods be addressed?

The process the Town is following with this project is concerning. The Council is divided and a Referendum is being proposed (a good thing as all residents will have the chance to weigh in) for March 5th, two short months away. It feels like this Referendum is being rushed and forced without information about the comprehensive impact including how this project interacts with others such as the school's current overcrowding, moving the Little League fields, and the effects on surrounding communities.

The Council's practice of posting agendas less than a week in advance and having a public hearing and a vote on the same issue at the same meeting is a bad way to set policy. It allows almost no time for Councilors to consider what is being offered by the public and almost no time for interested parties to develop comments. Moreover, the Town Council is voting on Referendum language and date *before* the scheduled public community meetings and *after* signing an MOU with the developer. This way of conducting business sends residents the message that the Council does not care to meaningfully listen to the people they are pledged to represent.

Thank you for your service,
Katherine Pelletreau

Chairman Segrist closed the Public Hearing.

Councilor Douglass thanked everyone for their comments this evening. She asked the Town Manager if there is any room for negotiations for adjustments to the proposal prior to the referendum.

Town Manager Shane said that there are opportunities to talk about that during the process and that is the purpose of the 3 meetings to gather public input.

Councilor Edes said that he is interested in hearing what the other Councilors have to say about holding the election in June as opposed to March. The Town Clerk will have to create and count ballots in March and then again in June. Is it better for us financially to just have one election in June? He asked the developer if there is a difference for him if we do it in March or June, and his response was that there is no rush on this project.

Councilor Douglass said that she posed the question about the financial impact of the election being held in March and learned that there is no direct financial impact. In her opinion, this has been going on for a long time and she feels as a Town Councilor that she is up to speed and there has been a lot of discussion about the timeline. Now, all of a sudden there is narrative that it is rushed.

Councilor Edes said that he is simply interested in why March and not June when we already have another referendum going on and more residents are here.

Town Clerk, Jenn Doten said that absentee ballot applications are available 90 days before an election, and ballots are available 30 days prior. People can apply online, in person, or call the Town Office to request one.

Chairman Segrist said that from a project standpoint, the financial timing as to when developers have to apply for funding for projects also has to be considered. There are 2 funding rounds, and the developer is unsure whether financing would be available, and it could go away in 2025. Their goal is to apply for the fall 2024 funding from the Maine State Housing Authority. He has also heard from the developer that they are in a better position to apply for funding if they already have Planning Board approval and they have their ducks in a row to be able to go and apply for that funding in 2024. There is also potentially a spring 2025 funding round, but it may not occur until fall 2025, and that is the concern. From the developer's perspective, the faster that they can apply for the funding before it potentially dries up, the better. Another reason is, we have talked about the school potentially having another referendum on a new school. That would potentially be in June. Because these are both large issues and folks view them as inextricably intertwined, the Town Council and School Board think it would be better to separate them because they are both large issues. He realized that folks view them as intertwined, but he does not view them that way given the fact that we don't know exactly the number of students. If the Superintendent and the School Board are telling us that 36 kids over the course of a 5-year project will not have a significant impact on the school, then it doesn't strike him as something that we necessarily need to tie together on the same ballot.

Councilor Storey-King said that like Teri and Jana, she has some push back on the narrative that this isn't going to cost the taxpayers anything. It feels like we're doing what the School Board did when they tried to pass the performing arts center before they built a new school so they could get the performing arts center. She doesn't want us to be perceived as passing an affordable housing item before we know what the school number is going to be. She reviewed the RFP and found that on page 31 it says, "Westbrook Development Corporation will require a Credit Enhancement Agreement to make this project viable". She asked the Town Manager for his best guess on what that amount will be and where will it go on the TIF application?

Town Manager Shane said that he thinks they are comparing it to former projects that they worked on, and his concern was that they didn't convey what their intent was, which is a payment in lieu of taxes. That would be considerably less than what a credit enhancement agreement would be. A credit enhancement agreement would be set up if they were a for-profit organization and taxed like everyone else.

Councilor Storey-King said that her other issue is on Exhibit B of the TIF application. It indicates that the 9-acres on Drowne Road and the 12-acres on Stiles Way have an assessed value of zero dollars. How is it that the 12-acres (on Stiles Way) that are part of 31.7-acres, are worth nothing? The property that the Public Works garage sits on has a value.

Town Manager Shane responded that the assessed value on those properties has been zero for a long time because they are tax exempt as municipal ownership. If we wanted to sell them, we would have them appraised. That is different than the way we deal with them if they are in TIF districts (which to those are). He will speak to the Tax Assessor to get more clarity on why other Town-owned properties have an assessed value assigned to them.

Councilor Storey-King said that unless we make other points of view public on this issue, it appears that everyone on the Town Council is waiving flags. The people that are on our waiting list for senior housing signed up for 1 or 2 bedroom units, with a garage, that look like condos. They did not sign up for 9 of the apartment units that are on Route One that are all connected together. That is what this will look like. She feels like she is shoveling against the tide because there is such a push for this project when there is not an immediate demand. She sat on the 2014 Comprehensive Plan Committee, and it was not a big-ticket discussion. We talked about sustainability and conserving land, not developing policies that allow affordable housing.

Councilor Filson said that nationally, there is not one state in the entire country where a minimum wage worker can afford a two-bedroom apartment. They would have to work 104 hours a week to earn enough to pay for it (at the \$23 per hour minimum wage rate. Maine is currently \$14.15 per hour). There is a shortage of 84,000 homes statewide and we need to get to that number by 2030. That is a lot of houses. This is not just a Cumberland problem. There is nowhere to go and that is a very important thing to think about. We have to start somewhere and a community dialogue to talk about this and then putting it on the ballot is a good place to start.

Councilor Copp said that we are putting this in the hands of the residents and voters of the Town of Cumberland. It makes no difference to him whether it is voted on in March or in June. However, there are some financial advantages if it is voted on in March. Let's not beat this to death. Ultimately, the voters will decide.

Councilor Vail said that he is looking forward to the 3 meetings to discuss this further. He feels that the input from the Town's people is important as to how we move forward. He also does not care if the election is held in March or in June. There is never going to be a good time for this project, and we don't have any other land. Let's let the public decide.

Councilor Edes said that he supports this going to referendum.

Chairman Segrist added that in March of 2020 we had a 45% voter turnout, and in June of 2020 we had a 27% turnout, and in June of 2022, we had a 24% turnout.


Motion by Councilor Edes, seconded by Councilor Douglass, to schedule an advisory referendum election on March 5, 2024 to vote on the following question:

Shall the Town Council accept the proposal from Westbrook Development Corporation dated November 2, 2023 and subsequent site plan proposals for the development of 107 affordable housing units to be constructed on Town-owned property located off Drowne Road adjacent to Town Hall?

VOTE: 6-1 (Storey-King opposed) MOTION PASSES

24 – 002 To authorize the Town Manager to enter into a 3-year contract with Flash Vote.

Communications Director, Whitney presented the following regarding Flash Vote:



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Public Input

?

Public input sentiment is
the **same** as public sentiment

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Harvard Case Study

INPUT METHODS MATTER:
 How Legacy Community Input Methods
 Lead to Biased Policy Decisions


Justin de Benedictis-Kessner,
 Tomohito Okuda, Connie Liu,
 Emily Mello, Henrietta Cho, and
 Carly De La Hoz

**TRADITIONAL METHODS OF
 COMMUNITY INPUT ARE BIASED**

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Public Input

How often do you think
public input sentiment...



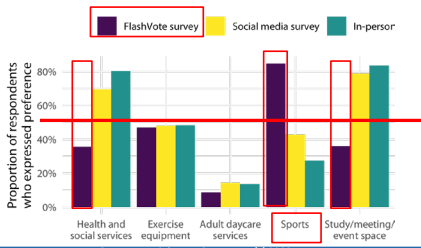
matches **whole community
 sentiment?**

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Harvard Case Study

INPUT METHODS MATTER:
 How Legacy Community Input Methods
 Lead to Biased Policy Decisions

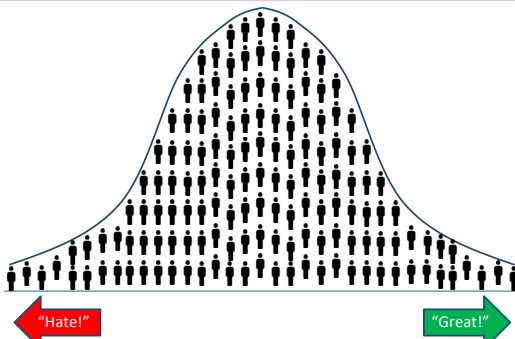
Justin de Benedictis-Kessner,
 Tomohito Okuda, Connie Liu,
 Emily Mello, Henrietta Cho, and
 Carly De La Hoz



Category	FlashVote survey (%)	Social media survey (%)	In-person (%)
Health and social services	~75	~65	~70
Exercise equipment	~50	~50	~50
Adult daycare services	~15	~15	~15
Sports	~85	~45	~30
Study/meeting/event space	~40	~80	~80

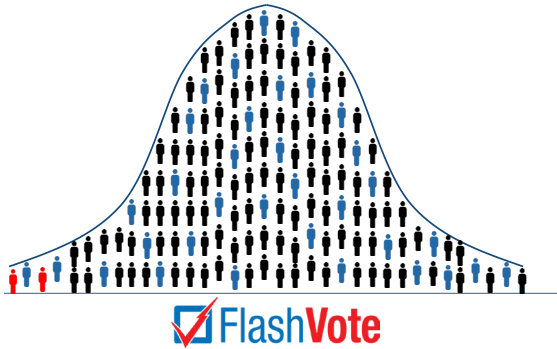
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Your Community



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Now You Can Hear From The Many



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Your Residents Want To Help

- Do they have one hour a week to help make their local government better? No way!
- But what about...

Do you have one minute a month to help make your local government better?

YES

NO

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People Sign Up With Demographics

Sign Up Now!

Free, fast and fun

Sign up once to be heard many times on many issues.

You help make your government better. You even earn points that are redeemable for rewards in some communities.

Civic participation has never been easier or more satisfying.

Full privacy. No spam. We will not share your personal information with anyone.

Sign up with your Facebook account

Sign up with your Google+ account

Sign up with your Twitter account

Or sign up with your email:

Email

First name Last name

Password

Confirm password

☐ Female ☐ Male Why?

Birth Year (YYYY) Why?

By clicking "Sign up" you agree with our [TERMS](#) and [CONDITIONS](#)

SIGN UP

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HOW IT WORKS FOR GOVERNMENTS (1/4)

- We Help Sign Up Residents
 - We invite them by mail, email and other methods

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We Can Invite Residents For You

- We can send SMS, email or mail and provide content for other offline or online promotion



You're invited!

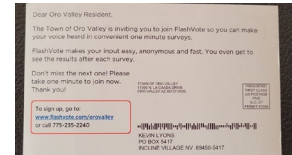
Placer County invites you to join its new FlashVote community. It's free, fast and fun!

It takes less than 1 minute to sign up. Civic participation has never been easier and we'd love your help.

Why join? Imagine you could give us your input on issues in seconds, from any device, anytime.

Then results from the community are shared within days. And FlashVote protects your data and privacy as an independent intermediary between you and Placer County.

[Accept invitation](#)



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HOW IT WORKS FOR GOVERNMENTS (2/4)

- We (Help) Sign Up Residents
 - We invite them by mail, email and other methods
- You Pick Topic(s)
 - We provide a professionally crafted survey with 1 to 5 questions targeted to citizen knowledge

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All Questions Are Quality Controlled

- Questions are tailored to resident knowledge level
- 23 point quality control and editing checklist
 - Bad, biased or vague questions/choices not allowed
 - Calculations for readability and completion time



"Do you support our **great xeriscaping ordinance?**"



"Are you in favor of **paying \$X more per month** to have **service change Y?**"

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Survey Platform Does Email/Text/Voice

- Independent and anonymous data collection



Government



FlashVote



Residents

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HOW IT WORKS FOR GOVERNMENTS (4/4)

- We (Help) Sign Up Residents
 - We reach them by mail, email and other methods
- You Pick Topic(s)
 - We provide a professionally crafted survey with 1 to 5 questions targeted to citizen knowledge
- We Draft and Launch
 - We reach users with email, texts and voice calls
- We Report Results
 - We email results and post an interactive report page at the conclusion of each 48 hour survey

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After some discussion among the Town Councilors, it was decided to table this and bring it up later as a budget item. Councilor Douglass did not agree. She is in favor of this and wants it to move forward.

Chairman Segrist asked for any public comment.

Arnold Klugman of Bradbury Way said that he has dealt with polling systems and the biggest issue is when you get the response that you don't want and making sure that you make people aware of it. You also have to guarantee anonymity by contract. Why a 3-year contract? Try it for a year.

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

VOTE: 6-1 (Douglass opposed) MOTION PASSES

24 – 003 To appoint members to Boards & Committees.

Motion by Councilor Copp, seconded by Councilor Vail, to reappoint:

Sally Pierce and Amanda Vigue to the Board of Adjustments and Appeals

Shaun Alfreds and Peter Garsoe to the Board of Assessment Review

Robert Johnson and Mike Schwindt to the Coastal Waters Commission

Cara Biddings to the Cumberland Housing Authority

Riva Krut and David Young to the Lands & Conservation Commission

Linda Putnam to the Forestry Subcommittee

Stephen Fitzgerald to the Trail Subcommittee
Riva Krut to the Sustainability Subcommittee
Peter Bingham and Lorraine Rardin to the Planning Board
James Clifford to the Personnel Appeals Board
Linda Draper and Eli Rivers to the Prince Memorial Library Advisory Board
Bill Hansen and Sally Pierce to the Recreation/Community Education Advisory Board
Peter Garsoe, Ralph Oulton, and Paul Sokoloff to the Shellfish Conservation Commission
VOTE: 7-0 UNANIMOUS

V. **NEW BUSINESS**

Councilor Copp – as he does at every meeting, he donated \$20 to the 4-H fund that benefits the food pantry.

He was riding through Falmouth after the last snowstorm and noticed a lot of trash due to the snowplows hitting the trash containers of those who put their trash curbside during a snowstorm. He hopes that we do a better job of getting the word out prior to storms so we can avoid this in our Town.

Councilor Vail – we have challenges in front of us, but we also have opportunities. We do not have a hospice facility in our Town, but he thinks that there is an opportunity that may be before us and requested that we have someone come speak to the Town Council about hospice facilities. He wants to have continuous care for our community.

Councilor Filson – no new business.

Councilor Douglass – the Town Manager position is now posted, and we look forward to the process and meeting all the candidates in the coming months.

Councilor Edes – he was very impressed with the conditions of our roads after the snowstorm. Our public works crew is top notch.

Condolences to the Storey family on the passing of Charles Storey. He did a lot for this community, and he was a good man.

He stopped by Rise Pizza the other day and was speaking to them about how business is for them. He learned that they are required to close at 9:00 p.m. by Town ordinance (in the Village Center District), even on the weekends. He would like the Ordinance Committee to look into allowing businesses to stay open a little later. On Friday and Saturday nights, when Greely sporting events are getting out, they cannot stay open for those potential customers.

Councilor Storey-King – her uncle Charlie was a very generous man. He was the first Storey to be on a state championship basketball team, and there were many more to follow.

She would like to have a conversation with the School Board about cost sharing. She provided an official request to Chairman Segrist and the entire Town Council. We pay 71% of the local share for 68% of the pupils. When we are looking at local financing of a brand-new school, those are significant dollars for our taxpayers.

Chairman Segrist – a reminder to everyone that we have the community meetings coming up. They will be very different in that the Town Councilors will not be sitting up on a dais. We will all be sitting together and talking about all the issues. The meetings will be held on January 18th, February 1st, and February 29th at Val Hall. You can register on the Town website.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 9:36 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

DRAFT