

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, December 28, 2020

6:15 P.M. Finance Committee Meeting

6:45 P.M. TIF Committee Meeting

7:00 P.M. Call to Order

Present: Councilors Copp, Edes, Foster, Gruber, Storey-King, Turner and Vail

I. APPROVAL OF MINUTES

Motion by Councilor Storey-King, seconded by Councilor Vail, to accept the December 14, 2020 meeting minutes as presented.

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

II. MANAGER'S REPORT

Trash routes will be changing in January. The new trash routes are listed on Channel 2 and 1301 and are listed by street name. This information can also be found on the Town website. This was necessary because the trash routes have become so large because our Town is growing.

We will be advertising for a Senior Accountant position later this week. The Finance Committee has approved filling this position.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

20 – 114 To update the Rines Forest Management Plan, as recommended by the Lands & Conservation Commission.

Sally Stockwell, of the Lands and Conservation Forestry subcommittee, explained that the Town Council has already approved the Rines Forest Management Plan. The substance of the plan is the same, but 2 parcels have been added to Rines Forest since the plan was originally adopted and the amendments reflect the additional parcels.

Chairman Gruber asked for any public comment.

No public comment.

Motion by Councilor Vail, seconded by Councilor Foster, to update the Rines Forest Management Plan, as recommended by the Lands & Conservation Commission.

VOTE: 7-0 UNANIMOUS

20 – 115 To hear a report from the Social Justice Committee.

Councilor Storey-King said that the committee will look at a couple of different things in regard to our community: 1) how to have conversations about social justice and injustices, and 2) look at the Town's policies to be sure that they enable access to equity among certain populations. Her intention for the committee is that their work is productive, inclusive, positive, respectful, and do the work with open minds and open hearts. She hopes that this will set the tone for some of the work to be done. She thanked Councilor Foster for preparing the presentation.

Councilor Foster presented the following:

Social Justice Committee

12/28/20 – Town Council Update

Committee Objective

- ✗ **Equality:** Providing the same service or following the same process for all people
- ✓ **Equity:** Providing the required resource so that all people have the same possibility of achieving the objective
- Ensure equitable employment and recruitment practices
- Ensure equitable provision of town services to all Cumberland citizens

Our policies, decisions and "the way we do things" show who and what we value and what we don't

Committee Structure

- Councilors Edes, Foster, and Storey-King – Plus 1?
- Small Group Workshops – lead by councilors with community representatives

Phase 1: Council & Department Heads Workshops

- Objective:
 - Establish common language
 - Baseline communication rules of engagement
- 2 Separate Workshops in January/February
 - Conduct prior to Council meetings
 - Privilege and Identities- Maine Intercultural Communication Consultants www.maineintercultural.com
 - Communication and Conflict Resolution
 - Family & Community Mediation www.maineefcm.org
 - Offering resource connection

Phase 2: Community Workshops

- Similar objective to town leadership sessions
- Imperative to ensure productive public workshops in Phase 3
- Multiple workshops through the winter
 - Hope to be able to support in-person as well as virtual sessions

3 Phase: Equity Review, Task Forces & On-Going Efforts

- Equity Review – Blind Spot Identification
 - Blind spot = gap between intent and impact
 - Community Feedback – anonymous survey
 - Racial Bias Audit
- Small Group Task Forces: Prioritize blindspots & Recommend changes
 - Diverse perspectives & problem solving approach achieve BETTER recommendation
- Establish repeatable review and addressing of new or evolving blind spots
- Empower community to bring both "blind spots" and solutions

External Resources – Mediation & Conflict Resolution

- Family & Community Mediation www.mainebcm.org
 - Supporting with Conflict Resolution resource connections as well
- Maine Association of Mediators www.maineinmediators.org

External Resources – Education

- Portland Chamber of Commerce www.portlandregion.com
 - 21 Day Challenge
 - Trainings (none have been offered yet): unconscious bias, racism, diversity, equity and inclusion
- Maine Intercultural Communication Consultants www.maineintercultural.com
- Holocaust & Human Rights Center of Maine www.hhrcmaine.org
- Maine Humanities Council www.mainehumanities.org
- Cook Ross www.cookross.com
 - Co-create solutions that help advance inclusion, diversity, equity and accessibility within organizations

Logistics

- Budget:
 - Community & Family Mediation:
 - Phase 1: Conflict Resolution & Communication
 - Phase 2: Community Sessions
 - What makes sense for the community roll-out?
 - What are the objectives of the community roll-out based on the outcome of Phase 1?
 - Education: Maine Intercultural Communication Consultants www.maineintercultural.com
 - Phase 1: Council Members and Department Heads
 - Phase 2: Public Workshops
- Timeline
 - Phase 1: January
 - Phase 2: Series offered starting March and April
 - Phase 3: Small Group Projects April/July

Town Manager Shane said that the Council should consider using the contingency budget and allow this committee to use up to \$5,000 at a time and reporting back to the Council monthly to advise them what is happening and what is on the horizon. The committee needs money to get the word out and hire speakers, etc.

Steve Moriarty of 12 Oak Street said that he is our State Representative and has just been appointed as a member of the Judiciary Committee, which is the primary Committee that has jurisdiction over anything related to civil rights, social justice, or topics of that nature. As they get into their work, if the Social Justice Committee needs to know anything about what legislation is pending in Augusta, he is glad to help with this.

Motion by Councilor Turner, seconded by Councilor Copp, to allocate up to \$5000 from the contingency budget for this stage of the Social Justice Committee's consideration.

VOTE: 7-0 UNANIMOUS

20 – 116 To hold a Public Hearing to consider and act on a Liquor License renewal for Cumberland House of Pizza.

Town Manager said that the application is complete, and staff is recommending approval.

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Edes, seconded by Councilor Storey-King, to approve the Liquor License renewal for Cumberland House of Pizza.

VOTE: 7-0 UNANIMOUS

20 – 117 To hold a Public Hearing to consider and act on a Liquor License renewal for Flannel Shirt Food Company, LLC d/b/a Cumberland Food Company.

Town Manager said that the application is complete, and staff is recommending approval.

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Edes, seconded by Councilor Storey-King, to approve the Liquor License renewal for Flannel Shirt Food Company, LLC d/b/a Cumberland Food Company.

VOTE: 7-0 UNANIMOUS

20 – 118 To hold a Public Hearing to consider and act on a Liquor License renewal for Louie's Grille.

Town Manager said that the application is complete, and staff is recommending approval.

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Edes, seconded by Councilor Storey-King, to approve the Liquor License renewal for Louie's Grille.

VOTE: 7-0 UNANIMOUS

20 – 119 To appoint John Brushwein as Tax Assessor for the period of January 1, 2021 through December 31, 2023.

Town Manager Shane explained that our Town Charter requires the appointment of the Tax Assessor every three years.

Motion by Councilor Vail, seconded by Councilor Copp, to appoint John Brushwein as Tax Assessor for the period of January 1, 2021 through December 31, 2023.

VOTE: 7-0 UNANIMOUS

20 – 120 To appoint members to Boards & Committees.

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

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

Deb Gray and Sally Pierce to the Aging in Place Committee

Shaun Alfreds and Peter Garsoe to the Board of Assessment Review

Robert Johnson and Mike Schwindt to the Coastal Waters Commission

Janene Gorham to the Housing Authority

David Young to the Lands & Conservation Commission
Linda Putnam to the Forest Subcommittee
Stephen Fitzgerald to the Trails Subcommittee

Amy Amico, Bill Hansen and Sally Pierce to the Parks & Recreation Commission

Katherine Brooks and James Clifford to the Personnel Appeals Board

Linda Draper, Tom Foley and Eli Rivers to the Prince Memorial Library Advisory Board

Peter Garsoe and Ralph Oulton to the Shellfish Conservation Commission

To appoint:

Amanda Billing to the Board of Assessment Review

Matt Grondin to the Lands & Conservation Commission
John Leavitt to the Lands & Conservation Forest Subcommittee
Shaun Breton to the Lands & Conservation Trails Subcommittee
Brian Stearns to the Lands & Conservation Trails Subcommittee
John Stewart to the Lands & Conservation Trails Subcommittee

Paul Sokoloff to the Shellfish Conservation Commission

VOTE: 7-0 UNANIMOUS

20 – 121 To approve increasing the number of Prince Memorial Library Board members from 8 to 11, as recommended by the Nominating Committee.

Town Manager Shane said that when the Nominating Committee appointed Bill Stiles to the Library Board, the bylaws had to be amended to increase the voting members. The amendment requires Council approval.

Chairman Gruber asked for any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Copp, to approve increasing the number of Prince Memorial Library Board members from 8 to 11, as recommended by the Nominating Committee.

VOTE: 7-0 UNANIMOUS

20 – 122 To hold a Public Hearing to consider and act on amendments to Chapter 315 (Zoning), Section 2 (Purpose) and Section 4 (Word Usage and Definitions – Agriculture) of the Cumberland Code, as recommended by the Planning Board. TABLED TO JANUARY

Town Manager Shane explained that the Planning Board meeting last month was set up at as Zoom meeting and there were technical difficulties. The meeting was cancelled and postponed to January and this item and the next two items had to be tabled.

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

VOTE: 7-0 UNANIMOUS

20 – 123 To hold a Public Hearing to consider and act on amendments to Chapter 229 (Site Plan Review) to add agriculture related language to the Cumberland Code, as recommended by the Planning Board. TABLED TO JANUARY

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

VOTE: 7-0 UNANIMOUS

20 – 124 To hold a Public Hearing to consider and act on amendments to Chapter 229 (Site Plan Review), Section 5 (Minor Staff Review Procedure), Section 6 (Major Staff Review Procedure), Section 7 (Planning Board Review Procedure), to change the abutter notice radius from 200 to 500 feet, and Chapter 315 (Zoning), Section 53 (Home Occupations and Home-Based Occupations) and Section 77-C (Board of Adjustments & Appeals - Hearings), of the Cumberland Code, to change the abutter notice radius from 300 to 500 feet, as recommended by the Planning Board. TABLED TO JANUARY

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

VOTE: 7-0 UNANIMOUS.

20 – 125 To set a Public Hearing date of January 11th to consider and act on an amendment to the Credit Enhancement Agreement with Integrative Health Center of Maine to add 15 Sky View Holdings, LLC.

Town Manager Shane explained that the TIF Committee met before the meeting this evening to review this and voted unanimously to approve the amendments to this Credit Enhancement Agreement. He recommended January 11th for the Public Hearing.

Motion by Councilor Vail, seconded by Councilor Copp, move to set a Public Hearing date of January 11th to consider and act on an amendment to the Credit Enhancement Agreement with Integrative Health Center of Maine to add 15 Sky View Holdings LLC.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Edes – He asked the Manager where the proceeds from the sale of the North Yarmouth gravel pit will go.

Town Manager Shane said that it will go into the land acquisition reserve account.

Councilor Edes said that he is still concerned about the railroad quiet zone issue. There are many residents whose quality of life is impacted by the noise. He plans to bring this up again during the budget discussions.

He wished everybody a happy new year.

Councilor Storey-King – She congratulated Councilor Edes on his son Ryan's military recognition on Christmas Day.

Thank you to all the citizens of Cumberland who went above and beyond with their Christmas lights. She and her mother drove around Town looking at the lights. Her mother was touched and said that she is so glad to live in Cumberland.

Councilor Vail – He acknowledged the work of the Town employees over the past year. Everyone has put in the extra effort and pulled together to keep the Town safe. He extended a heartfelt thank you.

He suggested posting the COVID danger in Town, much like the fire danger sign. This would remind people that we do have cases in our community, and we should all operate in a safe manner to protect each other.

Chairman Gruber – The food pantry served over 80 families last week. Thank you to the volunteers who make it happen every week.

Councilor Foster – The Communications Committee has obtained a quote for the postcard mailing which came in at just under \$1,800.00. They will be mailed out mid-January.

Prince Memorial Library is starting a 4-week series entitled “Race Through the Lens of Fiction”. It will start on January 13th. They are young adult books, but it is open to everybody.

Happy new year.

Councilor Turner – His father was a teacher, and his philosophy was that a good teacher should teach young people how to think, not what to think. That philosophy filters everything in his thought process. In regard to the Social Justice Committee’s work, the conclusion that we should be thinking about is that the process may be instrumental in teaching people how to think about the problem with their own thought process around biases, etc. There is a huge group of people in this country who are worried about schools taking the place of parents and teaching kids about morality. It is the parent’s job to teach their children morals, not the schools.

Councilor Copp – This is a tough time of year for many people who have lost loved ones or friends over the past year. We should reflect on those who were lost. We are very fortunate to live in a great community and he wished everyone a happy new year.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 8:08 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary