

# MINUTES

Cumberland Town Council Meeting  
Town Council Chambers  
**MONDAY, March 8, 2021**  
**5:30 P.M. Budget Workshop**

## 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 Vail, seconded by Councilor Edes, to accept the February 22, 2021 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

### II. MANAGER'S REPORT

Jennifer Pincus and Cheryl Lambert presented a check for \$3,000 to the Food Pantry. In early February, they created a virtual 5k fundraiser called "Feed the Love" to get their follow community members active and moving. 70 families participated and they plan to make this an annual event.

### III. PUBLIC DISCUSSION

Mike Doyle of Portsmouth, N.H. said that he lived in this area for most of his life, so he has a lot of interest in what goes on in Cumberland, Falmouth, and the greater Portland area. At the last School Board meeting, Peter Bingham made a comment about someone calling him a moron. Mr. Doyle said that he made that comment. He read the following article that he wrote for his website, Falmouthtoday.me:

*A MORON COMPLAINS ABOUT BEING CALLED A MORON, PETER, DINGBAT, BINGHAM,  
OBJECTS TO THE TRUTH!*

*March 8, 2021*

*By Editor:*

*Peter has lost whatever mind he had before joining the Board of Morons, also called MSAD #51. Let's review the bidding leading up to the MORON description:*

- They are TOO stupid to know that there was ZERO evidence to support their LIES yet they (Perrin, McGinley, and Maksymowicz) went on to have LIED at Board Meetings and Council Meetings about being stalked by Shawn. (He knows this because he was present in the parking lot and Shawn did not stalk anyone).*
- They are TOO Stupid to have read the Board Rules, Robert's Rules of Order, or the First Amendment of the U.S. Constitution.*
- They are TOO Stupid to know that they can't control CONTENT at the Public Forum. Numerous SCOTUS decisions barring CONTENT.*

- *They are TOO Stupid to punish or fire an employee running the A/V system at the Board Meeting, after he called Shawn an a-hole and when Shawn asked for an apology, he said f-you in front of the SRO, in the auditorium, for a serious level of MISCONDUCT. He was not fired, not disciplined, no pay docked, not suspended. What is it like in this Town where people can say f-you to taxpayers? Or call someone an a-hole for exercising his First Amendment right on what the School Board is doing and spending their money. This is not acceptable in the real world. Only in government do you see this. He tells people whenever you want to get the kids back in school, just stop paying the teachers to stay home. They'll be in school the next day.*

- *They are TOO Stupid to censure Ann Maksymowicz for going to Shawn's house TWICE to demand the sign be taken down, AN ILLEGAL REQUEST, without any discipline except, Shawn had to file a criminal trespass complaint against Ann with the Cumberland Police.*

- *They are TOO Stupid to stop wasting tax dollars with the EQUITY SOLUTION chasing a RACIST PROBLEM that doesn't exist in the two towns.*

- *They are TOO Stupid to realize what most of the two towns think about them. With Moron Peter using a government forum to espouse his religious trip to the Holy Land. SO INAPPROPRIATE IT DEFINES MORON BY ITSELF!*

*If you don't like being called a MORON, stop acting like a MORON.*

This is his answer to Peter Bingham's comment about him calling him a moron. Stop being a moron.

Mr. Doyle led the Pledge of Allegiance in honor of the troops working for us all over the world.

Greg Fryer of 111 Bruce Hill Road said that last week, he read an article in the Forecaster about bringing harness racing from Scarborough Downs to the Cumberland Fairgrounds. He is very sympathetic to the harness racing industry in Maine and understands that there is a long history of harness racing at the fairgrounds during fair week. This proposal is to supplement fair week with another 21 weeks of commercial racing. He considers this to be no small step. The 500-acre Scarborough Downs facility is very different than the Cumberland fairgrounds, where there are 12 homes within 1,000 feet, not including the 8 homes within the fairground's property. His property is approximately a half a mile away, but during fair week, they can hear the race announcers. Harness racing is a permitted use, but before granting a permit, the Town must consider the noise.

Joanne Fryer of 111 Bruce Hill Road said that she has events scheduled for this summer at Mowfield Farm and is already half booked for 2022. She does not want to have wedding ceremonies ruined by the noise that horse racing will cause. The noise coming from her events are capped at 60 decibels and she hopes that the fairgrounds will have the same stipulation on their noise for the harness racing events. She has spoken to Mr. Cianchette and he is willing to work with her. She has given him all her event dates, but is concerned because he can't be at every race.

Rebuttal comments from Michael Doyle: The Cumberland fairgrounds has been around for a long time. If you buy property within a half mile from the fairgrounds, you are going to have some noise throughout the year. He lives in an apartment building in Portsmouth, N.H. \$2500 per month for a 2 bedroom/2 bath apartment. The planes fly over from Pease Airport and the shadow from the plane goes right through his apartment. He doesn't think that he can complain about the noise given that he lives directly in the flight

path. This is one of those situations where the horse is out of the corral and if you buy property next to a noise creating facility, you have to expect some noise.

Joanne Fryer said that per ordinance, they are not allowed to have weddings at their facility during fair week. We are not talking about fair week here. She would not have bought a house across from Scarborough Downs and put in a wedding venue. This may be an allowed use, but she does not think that they have ever held harness racing except for fair week, ever. This is a new thing.

Councilor Storey-King said that this is not a new thing. There used to be harness racing at the fairgrounds every weekend up until the mid-80's.

Town Manager Shane added that there is no mass gathering permit application before the Town Council yet. When this does happen, a public hearing will be held, and people will be given the opportunity to speak on this.

Rick Doane of 4 Catalpa Lane said that he knows Peter Bingham reasonably well and it is disappointing and unfair to have to sit here in a Town Council meeting and listen to name calling. That is not the man that he knows, and he finds it distasteful.

Mr. Doane said that the real reason he is here this evening is to talk to the Council about marijuana. He has an abutting neighbor who fancies himself a medical marijuana grower. He is allowed 30 plants and there is now a bill before the legislature to increase that standard from 30 to 60 plants allowed. The problem that he and his family has is the odor. It smells a lot, and it smells for a long time. It is a gradually escalating odor that begins mid-summer, until November. He has spoken to the neighbor about it, and the neighbor has expressed the desire to work with the neighborhood in terms of harvesting routines, but this has not materialized. This is not a small problem. Whenever the wind is coming out of the east, they cannot open their windows, and it is very unfortunate to have such an intrusive experience in a quiet, residential neighborhood. The ordinance that the Council passed a couple of years ago for the Registered Caregiver Overlay District, specifically states that odor must be contained at the property line for these facilities. There is no such standard for the Town as a whole, so he asked the Council to consider expanding the current protections that exist for the Caregiver Overlay District to the Town as a whole, or at a minimum, residential areas.

Michael Doyle's rebuttal comments regarding Peter Bingham: He has no animosity toward Peter, but Peter made a point of complaining about being called a moron at the School Board meeting while he ranted on about his trip to the Holy Lands. His point being, if you look up the word moron in the Webster Dictionary, it is interchangeable with the word imbecile and idiot. He chose to use the word moron because he thinks it sounds less aggressive than imbecile or idiot. But if you act like that, someone is going to call you a moron. If someone objects to him calling Peter a moron, tell your friend Peter to stop acting like a moron.

Bill Stiles of Range Road said that there will not be any night racing at the fairgrounds. They took the track lights down a few years ago. He said that Councilor Copp has been doing a good job of reminding everyone that the fundraising for the 4-H auction fund that benefits the food pantry. Just \$10 from Cumberland and North Yarmouth residents will go a very long way.

Shawn McBreairty of Cumberland read the following:

*As many of you know, I have filed dozens of Freedom Of Access Act (FOAA) requests over the last 9 months with the MSAD51 School District, as a result of the indoctrination of Greely students with Critical Race Theory. The more info I'm provided by MSAD51, the more hypocrisy I find.*

*It's like when you cut down a big, old tree with a hand saw, you have to make dozens of cuts.*

*The more cuts you make, the more you see how diseased and hollow the tree is on the inside.*

*I've had to ask MSAD51 for the same FOAA requests, multiple times, as they are unwilling to be forthright, as they know I will communicate it. Because of this disclosure, taxpayers are mad! Parents are mad! Students are mad!*

*MSAD51 also can't seem to reply to a request without going through their lawyers first. MSAD51 pays nearly \$100 more per hour, at \$304 on average, than the Town of Cumberland does at a contracted rate of \$205 an hour. Know how I found that out? A FOAA request!*

*They've cost the taxpayers tens of thousands of dollars a year because of poor negotiations and lack of diligence and so far, have spent nearly \$26,000 of our hard-earned taxpayer dollars, on keeping me from using my First Amendment rights and gaining access to public information!*

*Why? Because they know they are in the wrong and have to have a lawyer check them, rather than just providing the info, as required.*

*Instead of following the FOAA law, the administration of MSAD51, specifically Superintendent Jeff Porter, Director of Finance, Scott Poulin and School Board Chair, Tyler McGinley, have now constructively denied my recent FOAA requests to find out all the taxpayer dollars spent on these "anti-racist" trainings. This type of training has been going on with teachers passing this info down to students, since at least 2019.*

*My FOAA request was first made on 12/29/20 and weeks later, I was told I needed to pay \$120 for this information. I paid \$150 on 1/29/21 (they also had me pay \$30 for another request and never provided a receipt of hours used, as I requested) and I handed the check to the Director of Finance, Scott Poulin, personally.*

*MSAD51 then stated on 2/23/21, almost two months since the initial FOAA request on 12/29/20, that "Over the next several months, we will be extremely busy with annual budget preparation, union negotiations and pandemic issues, as well as the usual business in the district office. Therefore, we will be unable to provide the records you requested until after the budget is approved and the current school year ends. We estimate that we can provide the records requested by July 15th, 2021."*

**AFTER THE MSAD51 PUBLIC BUDGET VOTE FOR ANOTHER 5%+/- INCREASE AND A BRAND NEW \$40,000,000 SCHOOL!**

**AFTER THE SCHOOL BOARD MEMBERS ARE VOTED ON!**

*By the Maine FOAA law, this is not “reasonable” timing to provide the FOAA information requested. Especially with the School Board seats of Ann Maximowicz and Margo Harrington up for reelection in June, for Cumberland. Both these current members are advocates for “anti-racism” training for your children.*

*As a note, Jeff Porter was reprimanded by the Assistant Attorney General on 7/29/20, for stating that I should be a better parent and go along with whatever the school is pitching and not make any waves by asking questions.*

*Furthermore, MSAD51 is withholding the public from attending the “secret, “Equity” Leadership Steering Committee meetings, with no viewing without a new link each meeting, no agenda, no minutes, no recordings.*

*Kids deserve to be taught in the home about racism. MSAD51 should have no political stance on any actions occurring in the United States. MSAD51 should not be working to re-write history, English, social studies and mathematics, all efforts they already have underway.*

*The MSAD51 School Board recently changed the policy, BEDH, Public Comment, after not following it for 4 years. After 4 years of not following the policy and 4 School Board meetings to get them to follow the policy, it took them 4 months to change the policy. They did this without being up front with the community and never publicly communicating their policy changes. Now, you no longer have the ability to comment prior to a MSAD51 School Board vote. Their system is setup to not allow public comment, for unregulated use of nearly 70% of your Cumberland property tax bill.*

*MSAD51 doesn’t want to hear you, they won’t listen, they won’t answer questions.*

*Things need to change. This is indeed a Cumberland Town Council thing, not just a MSAD51 thing. The Town of Cumberland writes two HUGE checks to MSAD51 each year. The elitists at MSAD51 keep getting richer and richer, while the 100 employees of the Town of Cumberland didn’t get a raise this year, to balance the Mill Rate, just so that the MSAD51 teachers and Administration could get their usual 3% pay raise.*

*MSAD51 has zero incentive for fiscal responsibility. Zero!*

*It is simply irresponsible for this Town Council to let MSAD51 continue to run the biggest and worst run business in Cumberland this way. You need to start asking questions!*

Jennifer Pincus of North Yarmouth said that she is the parent of two students in the MSAD 51 school district. She thanked School Administration and the School Board for all of their efforts and work during these incredibly difficult times with respect to the pandemic issues and implementing an anti-racist educational curriculum to help our students better understand the issues facing our country today.

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

##### **21 – 022 To hear a report from the Lands & Conservation Commission.**

Mike Schwindt, Chairman of the Lands & Conservation Commission, presented the following:

Thank you for the opportunity to update you on the things your Commission and its subcommittees have recently been involved in. Recognizing that full disclosure will take significant time, tonight I want to provide an overview of the Commission, its structure and sphere of responsibility. We are also going to be asking for your advice and counsel as we set our work plan for 2021 so that the priorities we work on are aligned with what the Town needs and wants.

## **BACKGROUND**

The Commission has been in existence for a number of years. Some of its major earlier activities included:

- Trail building including the Town Forest,
- Invasive identification,
- Initiation of forest management plans,
- Vernal Pool mapping, and
- NE Cottontail study

Most recently, in 2018, our governing ordinance was rewritten, with the significant involvement of Councilors Gruber and Bingham, substantially changing our structure and roles.

## **STRUCTURE**

The 2018 revised ordinance specifies the structure and duties of the Commission and the subordinate subcommittees.

The Commission members, and other Town Council appointed subcommittee members, serve three-year terms.

- It is to have at least 7 members who are residents.
- Right now, we have 9 plus one from each of the two standing subcommittees.
  - It has a core group with institutional memory, (Sam York, Ellen Hoffman, Dave Young) plus a good mix of knowledgeable professionals.
- The Commission is the link between the subcommittees and the Town Council since all subcommittees report to the Commission.

The ordinance also provides for two standing subcommittees,

- Forestry and Natural Resources, and
- Recreational Trails.
- Additionally, we can establish other subcommittees and have chosen to do so.
  - Land Assessment,
  - Invasives,
  - Climate Action, and
  - Farmland Assessment.
    - Terms for these subcommittees are generally for the duration of the ad hoc subcommittee.

## **THE ASSETS**

To help put things into perspective, Cumberland owns well over 1,000 acres of land. Most are familiar with the larger parcels –

- Rines @ 304,
- Knight's Pond @200,
- Twin Brook@248,
- Town Forest@130,
- Greely Woods@38, and

- Broad Cove@20.

Val Halla adds another 153. But there are also a number of smaller pieces. This still excludes the lands where we have less than outright ownership.

One estimate of our standing timber value is about \$1.3 million, not exactly chicken feed.

Our trails are on Town owned property – no question. But we also manage interconnecting trails across private property, some with the owners’ forbearance, some with easements giving us the right to access the property.

One question I’ve asked but don’t yet have the answer is the number of miles of trails we have in our trail system. Hopefully, we can get an answer when we finish the GPS’ing project.

What needs doing. When you look at the ordinance and compare what we have done with what all needs doing, it’s easy to see we have significant work ahead of us.

For example, Section 30-15 describes the purpose and duties of the Commission. Paragraph A says we are to report to the Town Council regarding the condition, status, or current use of any parcel of land owned by the Town. So far, we have done some of that.

The last half of the paragraph talks about apprising you about “any parcel of land in which the Town has acquired an interest less than ownership, including rights of way, easements, rights of development, options to purchase, or any other permissive or conditional use of any type.” This we have not done except in a couple of specific situations.

Similarly, when you look at the other dozen itemized things we are to do, we have accomplished only a few. That’s the reality. The other reality is we are working with a totally volunteer group so it’s going to take a bit of time to get caught up on all the things needing doing. More on that at a later time.

When you look at what the Forestry subcommittee has accomplished, again, we have made good inroads into what needs doing but still have a ways to go.

A major accomplishment is getting the Guiding Principles in place. That was accomplished recently when you accepted the principles we proposed. We also have forest management plans in place and are working on others. Additionally, the timber harvest at Twin Brooks is also part of their portfolio.

Similarly, when looking at the Trails activity, one can see much has been accomplished but that there is more to do. Again, you adopted the Trails guidelines last year. They serve as a basis for how we do trails and plan for the future. During the last year, while our neighbors closed their trails, we did not. Instead, considerable effort was expended in rebuilding and hardening the existing trails, particularly in Rines and Greely Woods.

Mr. Chairman, I hope that these two groups will each have an opportunity to spend some time with you in the near future so that you get a better picture of what each subcommittee does as well as the people doing the heavy lifting. I believe what they do and how they go about accomplishing their goals is important for all of us because it impacts each of us and will well into the future.

As I’d mentioned earlier, we elected to establish several ad hoc subcommittees.

- The first was to develop a means of assessing lands of significant conservation value that may be available. Here, we considered a number of attributes and their relative value to develop a matrix to rank the parcel. For comparative purposes, we assessed a number of Town-owned parcels to see if the matrix made sense.

The matrix was provided to you in June, 2019. This fits, in part, with 30-15 (C) dealing with being able to make recommendations to you on potential properties with significant conservation values.

- The second, Invasives, deals with (K.1) the management, preservation, maintenance or upkeep of the properties. As you know, we have many invasives here but there has not been a significant effort to bring them under control. Some cutting in the Town Forest occurred, spraying had been done and we coordinated a meeting with the surrounding towns but overall impact was minimal.

Last year, we again looked at the Town owned roads to identify the knotweed and purple loosestrife so spraying could be done. This winter, we made an earnest effort to identify the worst infestations in the Town Forest with an eye of cutting them down, spraying next year and then planting natives that will survive in that environment, hopefully getting ahead of the invasives to preclude further growth. Much more on that later. (Slide?)

- The Climate Action Plan recently completed its Phase 1 report which was provided to the Town Council and MSAD #51. This document, to be supplemented in about a year with a Phase 2 report can go a long ways to positioning our Town for the future on environmental issues.

I understand the report is tentatively on your next meeting's agenda so won't steal their thunder.

- The Farmland Assessment subcommittee, currently in its infancy, can and should have a significant impact on the conservation of our land and for maintaining the rural character of our town.
  - Having grown up on the high arid plains of North Dakota where most of the trees were the ones you planted, and fields are usually 100 acres or larger, this subcommittee is very educational to me. I'm looking forward to refining its scope and defining the expectations. More on that later.

Mr. Chairman, I've mentioned some of the things we have done but I believe it's also important to note some of the areas where we have so very much more to do.

### **Public Information**

- People need to know what we are doing and why since we are dealing with assets they own – the land, natural resources, scenic views, open spaces, etc. Minutes of LCC are on website but we need to get more info out.
- We did offer a large land owners session in 2018 but the 2019 session was scrapped because of the virus. The 2018 session is available on our website.
- Our Trails compare very favorably with the surrounding towns. One of our better kept secrets.
- Many people have questions on invasives; we think we're going to have some workable solutions people can consider.
- Invasives are all over. The sooner people can identify the problem plants, the better. We had earlier turned out a good publication showing the worst invasives but have much more to do.

Developing long-term strategies for the uses of all Town-owned open spaces and natural resources.

- We haven't touched that much at all. Yet, each day, by default, the strategies are being developed piecemeal by what we do and don't do. Implications extend well into the future.

But I don't want this to be gloom-and-doom – it's not that at all. We're in many respects just getting started.

Instead, these 2 items are just 2 of a number of opportunities for more people to step up with their ideas and helping hands to help build a better town for the future.

Mr. Chairman, with your indulgence, I would propose the Town Council include in its future agendas, opportunities for the standing subcommittees to provide in-depth reports of what they are about and their future plans.

We would also ask for your advice and counsel as we finalize our work plans for the upcoming year. I expect the final draft of that will be available shortly after our April 7 meeting.

Mr. Chairman, members of the Town Council, thank you for the opportunity to talk a bit tonight about your Lands and Conservation Commission and the good things its 30 citizens of our town are working on.

**21 – 023 To hold a Public Hearing to consider and act on a zone change request to change up to 70,000 square feet of the lot located at 222 Gray Road, Tax Map U20, Lot 66, from the Village Center Commercial (VCC) zone to the Village Office Commercial I (VOCI) zone, as recommended by the Planning Board.**

Town Manager Shane explained that this zone change request comes from the Planning Board with unanimous support. This will rezone approximately 70,000 sf of the former Board Barn property. Andy Haggerty wants to build 4 additional ground level rental units to his Emerald Common property. This zone change is necessary in order to add the additional units. The parcel that will be rezoned will provide a buffer to the abutting property.

Councilor Edes said that these additional rental units are for age 55 and above, it won't add additional burden to the school system, and it's giving people a place to live. He will support it.

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Vail, to approve the zone change request to change up to 70,000 square feet of the lot located at 222 Gray Road, Tax Map U20, Lot 66, from the Village Center Commercial (VCC) zone to the Village Office Commercial I (VOCI) zone, as recommended by the Planning Board.

VOTE: 7-0 UNANIMOUS

**21 – 024 To hold a Public Hearing to consider and act on proposed amendments to Chapter 229 (Site Plan Review) to add agriculture related language, as recommended by the Planning Board.**

Town Manager Shane said that this will complete our efforts to exempt agricultural uses from our cumbersome process. Site plan review of agricultural uses will provide a less costly and time-consuming review of agriculture related businesses. Farmers have historically struggled with our requirements because of the cost and the time involved. We are attempting to make it so that it is staff can review it at the staff level and agricultural uses can continue to thrive in our community. This comes with a unanimous vote in favor from the Planning Board.

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Copp, to amend Chapter 229 (Site Plan Review) to add agriculture related language, as recommended by the Planning Board.

VOTE: 7-0 UNANIMOUS

**21 – 025 To forward to the Planning Board for a Public Hearing and recommendation, proposed amendments to Chapter 315 (Zoning), Section 76 (Permits and Fees), C (Demolition Permits), as recommended by the Ordinance Committee.**

Town Manager Shane explained that the Ordinance Committee reviewed this and suggested that the following language be added to Section C (Demolition Permits): “The Historical Society shall be contacted upon submission of application”. This would allow the Historical Society the opportunity to contact the owner of the building and ask permission to take photographs if the building is considered to have historical value.

Chairman Gruber asked for any public comment.

Steve Moriarty of 12 Oak Street and Chairman of the Historical Society said that this topic came up at a board meeting several months and the board would simply like to be notified ahead of time in the case of a demolition.

Motion by Councilor Edes, seconded by Councilor Storey-King, to forward to the Planning Board for a Public Hearing and recommendation, proposed amendments to Chapter 315 (Zoning), Section 76 (Permits and Fees), C (Demolition Permits), as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

**21 – 026 To authorize the transfer of the Sweetser Fund (currently held by the Town) to the Historical Society.**

Town Manager Shane explained that the Town holds 2 trust funds for the Historical Society. The Sweetser Fund (as the Town named it) allows for the Historical Society to manage the fund themselves. He met with Pete Wilson, Helene (our Finance Director) and Steve Moriarty to discuss the Historical Society taking over the fund. The Town Council must authorize the transfer.

Chairman Gruber asked for any public discussion.

Steve Moriarty, Chairman of the Historical Society, explained that Christine Sweetser was the widow of Harland Sweetser. Christine passed away in 1984 and in her will she gave 1/10 of her residual estate to the Town for the benefit of the Library and the other 1/10 to the Historical Society for purposes of maintaining their building. For reasons that nobody can recall, the money that was given to the Historical Society was kept by the Town and adequately managed by the Town through all these years. Board members began asking if the Historical Society could manage the money since it was given to them directly. The board voted to take over the fund. They are bound by the terms of the will and can only use the money for maintenance of the headquarters building.

Motion by Councilor Copp, seconded by Councilor Turner, to authorize the transfer of the Sweetser Fund (currently held by the Town) to the Historical Society.

VOTE: 7-0 UNANIMOUS

**21 – 027 To authorize the use of year end excess revenue funds, not to exceed \$170,000, for the installation of barriers at each public railroad crossing and to establish quiet zones for all rail crossings in Cumberland.**

Town Manager Shane explained that the barriers will essentially keep the vehicles stopped at a railroad crossing (with the gates down) and not allow them to skirt around other cars waiting in line for the train to cross. We had the money to establish quiet zones in our last budget, then COVID hit, and all of our capital budget items were tabled. We have enough money in our fund balance to get the project started in May or June before the construction companies get too busy.

Councilor Foster said that she is concerned about the Tuttle Road crossing. We now have a sidewalk on Tuttle Road that we didn't have two years ago. Her concern is families using that sidewalk and kids on bikes and the barrier not coming down over the sidewalk.

Town Manager Shane said that we can transition the sidewalk into the paved shoulder ahead of time, so it becomes more of a natural merge back inside the crossarms.

Chairman Gruber asked for public discussion.

Tom Simmons of Longwoods Road said that as a neighbor to the railroad tracks, he is a huge supporter of this. He thinks that the urgency makes a lot of sense. Who knows what will happen when Pan Am is taken over by CSX?

Motion by Councilor Turner, seconded by Councilor Copp, to authorize the use of year end excess revenue funds, not to exceed \$170,000, for the installation of barriers at each public railroad crossing and to establish quiet zones for all public rail crossings in Cumberland.

VOTE: 7-0 UNANIMOUS

**V. NEW BUSINESS**

**Councilor Edes** – he had his first COVID vaccination at the old Scarborough Downs building last week. The process was flawless.

**Councilor Storey-King** – She wants to reinforce our gratitude to the Lands & Conservation Commission. They are a very professional committee along with the Chebeague and Cumberland Land Trust. We are so grateful to have such hardworking volunteers.

She reminded the public that our Fire Department has an incredible borrowing system for medical equipment, such as walkers, canes, crutches, etc.

She read the following letter that Donna Damon asked her to deliver to Chairman Gruber:

*Dear Tom,*

*The Town of Chebeague Island Select Board voted unanimously to offer its congratulations to the Town of Cumberland on its Bicentennial. Chebeague's history is so intertwined with Cumberland's that we share in your celebration!*

*Based on research at the Maine State Archives, we found that the people of Chebeague had a role in the creation of the Town of Cumberland. It seems that North Yarmouth's representatives to the State Legislature, Sturdivant and Russell disagreed on the issue of secession. It may not surprise you that one of the final sticking points was what to do about Great Chebeague Island with its 35 families.*

*Neither Town wanted to take on a maritime community because of the risk of a ship being lost and the potential of the widows and orphans becoming the responsibility of the Town. They referenced the Town's support of a Crotch Island (now Cliff) widow of a mariner who had been lost at sea. The Town was providing support for the widow and five children. Small slips of paper show creative ideas regarding the disposition of Great Chebeague including splitting the island down the middle! Finally, Ephraim Sturdivant, a privateer during the War of 1812, had a professional relationship with some of the islanders. When he returned, he carried a petition signed by the vast majority of Chebeague's eligible voters dated March 5, 1821 requesting that the island be included in the territory of the new Town. Two weeks later, the very new Maine legislature approved the creation of the Town of Cumberland. We share this footnote to the Town's history, to show despite Chebeague's 2007 succession, our Towns will always share a long and intertwined history.*

*We, the Chebeague Island Select Board, on behalf of the people of Chebeague, wish the Cumberland Town Council, the Town staff, and our Cumberland friends and neighbors, our best wishes during your Bicentennial Celebration and in the years to come.*

*Sincerely,*

*Donna Miller Damon  
Town of Chebeague Island Select Board Chair*

**Councilor Vail** – no new business

**Chairman Gruber** – the Food Pantry served 65 families last week. Thank you to all the volunteers.

**Councilor Foster** – The Communications Committee will be sending out the first pulse survey in the Cumberland Crier focusing on how people receive and access information about the town. The survey is also available in hard copy form at the Town Hall and residents can return them to the box in front of the Town Hall.

**Councilor Turner** – no new business

**Councilor Copp** – The Food Pantry continues to collect donations for the 4-H fund. This program helps both the 4-H kids and the patrons of the Food Pantry.

## **VI. ADJOURNMENT**

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

VOTE: 7-0 UNANIMOUS

TIME: 8:47 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary