

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, April 11, 2022

6:00 P.M. Workshop re: GPCOG Refugee Housing Request

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Copp, to accept the March 28, 2022 meeting minutes as presented.

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

II. MANAGER'S REPORT

Town Manager Shane reported that Prince Memorial Library recently had an inspection of our passport service program from the U.S. Passport Center, and they received a certificate of outstanding service.

Councilor Storey-King said that in February, our passport numbers were up by 391 passports processed compared to last year. That generated approximately \$13,685.00.

III. PUBLIC DISCUSSION

Mike Doyle of Portsmouth, N.H. who runs and writes for Falmouthtoday.me, said that he has a Motion to Dismiss regarding the two Class E misdemeanor charges that Ann Maksymowicz brought against him. He read a portion of the document: precisely because litigation and public criticism are essential to holding government accountable, this Court, SCOTUS, has frequently reaffirmed that speech on public issues occupies the highest rung of the hierarchy of First Amendment values and is entitled to special protection. This is particularly true whereas here, the expression comes from a private citizen. Relying on this principal, this Court has explained that such speech cannot be restricted simply because it is upsetting. It is a bedrock principal underlying the First Amendment that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable. Even less, can it suppress expressions on the grounds that the expression is upsetting, offensive or disagreeable to government officials (like Ann). Debate on public issues should be uninhibited, robust, and wide open, and it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials. This court long ago repudiated the doctrine of seditious libel in favor of a theory of our Constitution which values free speech as essential to, not subject to the vicissitudes of, our political system. The First Amendment forbids the government from abusing its arrest powers to retaliate against protected activity.

Mr. Doyle said that he has been retaliated against and this will open the Town up to a lawsuit. He intends to sue the Town, Jeff Porter, all of the Town Councilors and the Police Chief. He will defend his freedom of speech no matter what.

IV. LEGISLATION AND POLICY

22 – 038 To hold a Public Hearing to consider and act on a Mass Gathering Permit for Garden Brothers Circus to be held at the Cumberland Fairgrounds from June 30th through July 3rd.

Chairman Vail explained that upon some research of this circus, it has raised some concerns about the varicosity that this show might bring, and some concerns about animal cruelty. He asked the Cumberland Farmer's club president, Lyle Merrifield to comment.

Mr. Merrifield said that Garden Brother's Circus has been up front and honest about their event and the types of animals they would have at the circus, which is a very limited number. The Farmer's Club was impressed with the amount of information that they presented regarding their event.

Councilor Segrist asked what types of animals they will have at the circus.

Mr. Merrifield said that he would have to check on that to be certain. He didn't think they would have elephants or those types of animals.

Councilor Foster said that she read that there is a treatment of animal's issue, mostly small animals from what she could gather. By the time the application gets to the Town Council, they look to the Town Clerk to know if the event holder is following the rules. If you only look at the mass gathering application, all the boxes are checked and there are no red flags. But the company itself has received less than stellar reviews, according to the Better Business Bureau regarding their business practices as well as the mistreatment of animals.

Chairman Vail said that he would like to see our Animal Control Officer at the event.

Town Manager Shane said that we have ordinances and rules in place, and the Council cannot base their decision on if they like an event or not or the applicant. The Town Council can require a performance guarantee, so we are compensated for our public safety staff that are onsite. We can't step outside the rules of the ordinance, and this puts the fairgrounds in a tough spot.

Mr. Merrifield said that if anything came up in regard to animal cruelty, the fairgrounds would deal with it immediately and not tolerate any mistreatment of animals.

Councilor Edes said that he puts his complete trust in the Farmer's Club and is confident that they will do the right thing. Our job is to approve the mass gathering application. If someone doesn't want to support this event, don't go to it.

Councilor Copp said that we have the information on what the event is, and the Farmer's Club does a great job. If it doesn't meet their satisfaction, they will not be invited back next year.

Councilor Storey-King said that she agrees with what everyone said, her concern is the Farmer's Club association with this organization if something goes wrong.

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

Motion by Councilor Copp, seconded by Councilor Gruber, to approve the Mass Gathering Permit for Garden Brothers Circus to be held at the Cumberland Fairgrounds from June 30th through July 3rd.

VOTE: 7-0 UNANIMOUS

22 – 039 To consider and act on authorizing the Town Manager to execute an agreement with Cumberland County for a Behavioral Health Liaison to work with the Police Departments of Cumberland, Falmouth, and Yarmouth.

Chief Rumsey said that his personal experience with mental health workers being embedded with law enforcement for co-response to calls has about a 19-year history. In 1996, there was a terribly tragic crime in the City of Waterville, where he worked at the time. A seriously ill man went into a convent, killed some nuns and very seriously assaulted some others. A very tragic story. His Chief at the time, in the wake of that tragedy, worked to bring in some mental health workers to work with the officers. For most of his career, he was riding in patrol cars with crisis workers, and supervising officers who had crisis workers in the car with them. He has found that the program made better police officers because they were able to learn how the crisis workers de-escalated people, talked to them, and recognized signs and symptoms of the things they were experiencing. He also feels that it makes better relationships between law enforcement and mental health advocate world, which there sometimes can be a gulf between the two professions. The opportunity to apply for some funding came our way and he submitted an application on behalf of Cumberland, Yarmouth and Falmouth, to hopefully fund this program. It will become a reality if the three Town Council's approve it. This is an exciting program for our three Town's. This will be one of the most significant enhancements to our law enforcement service during his tenure as Chief, and he hopes the Town Council thinks it is worthy of their support.

Councilor Gruber asked if this program was part of our budget.

Chief Rumsey said that the first year is funded by American Rescue Plan Act (ARPA) funds and then each year, ARPA funds would cover 75%, then 50%, then 25%.

Councilor Foster thanked Chief Rumsey for taking the time to put this together. She recently read that Denver, Colorado piloted a Support Team Assisted Response (STAR) program in June of 2020, and they recently just upped the funding and made it part of their budget. There are new programs out there if we need to learn from their experience. She asked what the dollar amount per year is for the program.

Town Manager Shane said that it will be less than \$8,000 per year for the first three years, and there is an opt-out clause after three years.

Chairman Vail asked what the response time would be for this person to respond in the event of an incident.

Chief Rumsey said that he believes that during the 40 hours per week that this person will work, they would be in either Cumberland, Falmouth or Yarmouth, riding with the police officers or in an office working within the departments. If there was a call in any of the three Towns, they would respond to that Town. They will also be doing department trainings.

Councilor Storey-King said that she hopes that this position will not be a 9-5 position, but rather more of a flexible schedule to cover when people are home in the evening hours.

Councilor Edes asked if this crisis worker would be involved in the mandatory 48-hour follow up with victims of domestic violence.

Chief Rumsey said it makes sense to him that they would. We need to make sure that we are connecting folks up with services available to them.

Councilor Copp said that he is in support of this. It's a great program.

Motion by Councilor Segrist, seconded by Councilor Gruber, to authorize the Town Manager to execute an agreement with Cumberland County for a Behavioral Health Liaison to work with the Police Departments of Cumberland, Falmouth and Yarmouth.

VOTE: 7-0 UNANIMOUS

22 – 040 To set a Public Hearing date of April 25th to consider and act on the adoption of the FY2023 Municipal Budget.

Chairman Vail said that the Town Council met last Saturday to review the budget one last time. There were some members of the public in attendance. The Town Council is confident that the budget is ready to move forward, and the adoption be voted on.

Motion by Councilor Edes, seconded by Councilor Copp, to set a Public Hearing date of April 25th to consider and act on the adoption of the FY2023 Municipal Budget.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Segrist – April 7th was a rough day for him. He had two people close to him pass away and he wants to share his condolences with those affected. One of his neighbors, Patricia Mennitt, passed away after a long battle with cancer. His heartfelt condolences to her husband Leo and their family.

His grandfather, who attended our Council meeting just a month ago, Robert Leroy Watts, passed away unexpectedly in Des Moines, Iowa after returning from Maine. He had some internal bleeding that they just couldn't stop. This has been a big shock to his family, and he will miss him a lot. He loved being here last month and enjoyed everyone being so engaging with him. Thank you all for that.

Councilor Storey-King – She sent condolences to Seekins family on the passing of Norma Seekins. She was a second-grade teacher here for a very long time.

She got a call today from a former resident, Priscilla Payne. She also worked in our school district for a long time. Her son still lives in Town and is active in our Fire Department. She called to chat about affordable housing and housing options. She moved from Cumberland to Windham because she couldn't afford to stay here. It is very difficult to change communities when you are a senior citizen. She still comes to Cumberland to attend church and visit her friends. She wanted to share Norma's story as we think about affordable housing and have those discussions as a Council.

She asked the Town Manager if we have had any more Medical Caregiver License applications submitted.

Town Manager Shane said we have had 1 more application submitted. There are only 13 days left for all of the caregivers to get licensed and be in compliance.

Councilor Gruber – He and his wife attended the performance of Rent at the performing arts center. It was very well done.

The Food Pantry continues to do well. We had 56 people use it last week. Thank you to the volunteers who make it happen.

Chairman Vail – He got to know Norma and Ray Seekins through the Lions Club. Ray mentored many young people and he got to know them well through the 25 years that they were involved in the Lions Club. Condolences to the Seekins family.

Hannah Putnam also passed away recently. She and her husband owned Haven's Candies and they lived on Chebeague Island. Her son still lives here in Cumberland. Condolences to the Putnam family.

Maine Municipal Association sends out a lot of training opportunities and he would like to see each member of the Town Council attend a session and report back to the full Council. He feels that we are missing out on a lot of valuable training.

In regard to affordable housing, Mrs. Payne's comments ring home and the work that we are doing is so important to provide continuum living opportunities.

We had a meeting last week with the newly formed solar committee with Cumberland, North Yarmouth and MSAD 51. It was a great collection of people who understand the complexities of putting together a 2.1-megawatt solar project. It was a great meeting, and the work will continue.

Councilor Foster – The town wide survey closes on Friday. If you haven't taken it yet, there is still time. Please remind everyone in your household, your friends and neighbors to take it.

The Community Mental Health Committee has partnered with Greely PTO to show a documentary called Angst in our schools to grades 6 and over. It is mainly about anxiety, how it manifests, and how to recognize it in yourself and others. It can be viewed until April 13th on the Greely PTO website, and she encourages everyone to watch it.

Councilor Edes – We had some really great conversations tonight. That is what he loves about the Council.

He had the chance to talk to Councilor Siegrist's grandfather when he was here. What a nice man he was, and he urged Councilor Segrist to cherish his memory. He is sorry for their loss.

He sent condolences to the Fowler family on the passing of Greg. He was a great man in our community.

In regard to Councilor Storey-King's comments about seniors not being able to afford living in Cumberland, it goes back to some of our work with the senior tax deferral program. This Council is working to help solve this problem.

Councilor Copp – He gave his donation to the 4-H food fund that helps the Food Pantry and the 4-H program. This is a very worthy cause.

His condolences to the Fowler family. He knew Greg Fowler his entire life. He was a true farmer, and his farm is one of the last family farms left in our community.

Norma Seeking also passed away and she was a true icon in this community. She lived in the family farm that her family lived in for 170 years. She loved this community, and she was a great person.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 8:11 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary