

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

Monday, August 14, 2023

5:45 P.M. Town Council Photos

6:00 P.M. Workshop with Westbrook Development Corporation

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Filson, seconded by Councilor Copp, to approve the July 24, 2023 meeting minutes as presented.

VOTE: 7-0

UNANIMOUS

II. MANAGER'S REPORT

Town Manager Shane introduced Communications Director, Whitney Miller, who gave an update on the Senior Property Tax Assistance Program. To qualify, residents had to be 70 years of age or older, have a homestead in Cumberland, have been a resident for at least 10 years, and have a combined household income that did not exceed \$91,000.

	Owner	Renter
<i>Total Refund</i>	\$69,284.00	\$11,642.00
<i>Average Refund</i>	\$365.00	\$554.00
<i>Lowest Refund</i>	\$50.00	\$350.00
<i>Highest Refund</i>	\$750.00	\$640.00

211 residents qualified for the tax assistance program and will be receiving a refund check to apply towards their FY23 property taxes. The refunds totals for this year are **\$80,926.00**.

Town Manager Shane said that our Solid Waste Request for Proposals (RFP) has been sent out. We are looking for a 5-year contract with a trash removal company to be ready by July 1st of next year for an automated pick-up service.

The paving of the parking lot and rebuilding of the sidewalk at Town Hall will begin this week.

Road paving will begin this week around the Greely Road area. Paving is obviously weather dependent and has been difficult this summer.

The chain fence around the Congregational Cemetery will be removed and replaced with granite curbing that will surround the entire cemetery. The curbing must be in place before the work on rebuilding the Main Street sidewalks can start.

The Town Manager hopes to send out the RFP for the Bruce Hill Road waterline project soon.

There was an article in the Press Herald this past weekend about an elderly couple who live in Cumberland who had hospice care abruptly stopped and they didn't know where to turn for help.

Our Active Living 55+ Director, Devon Galvan, has already reached out to the couple and will set up a telehealth appointment for them. She is also looking for someone to help them with the replacement of their sump pump. Devon is amazing and is doing great things.

III. PUBLIC DISCUSSION

Pete Wilson of 18 Oak Ridge Road said that overlay districts are being overused. We should respect the zoning that exists, look at the current overlay districts, and remove them. It only helps developers and the rest of us pay higher taxes.

Mr. Wilson also said that he had an issue with beavers being trapped at Knight's Pond and asked if he could put some information regarding this in the Town Crier. He was told that he could not because that is a political topic. He feels that things like this should be allowed to be posted in the Town Crier.

Bruce Sherwin of 292 Blanchard Road said that with the additional affordable housing project being proposed, we are going to need more social services, public safety personnel, and additions to buildings. How will this affect the schools, the tax rate, and the taxpayers of this Town? We need to take care of the current taxpayers of this Town. He is hearing more negative comments than positive about these projects. He does not think that the Town Council has the support of the public on this.

Teri Maloney-Kelly of Maloney's Ridge Way emailed her public discussion comments to the Town Council as she was not able to attend the meeting this evening:

I am asking that you Table item 23-089 tonight. Here's why:

I am not anti-new people coming to Cumberland but fearful of the demographic impact it has already had on my taxes. I am not anti-new school but still waiting for a solution with a huge unknown financial impact. I am trying not to be anti-new Cumberland but see and am experiencing the impact of the economic diversity that has changed the affordability of our Town. I am a humanitarian but now find that I have to advocate for myself as everything now matters. I have given/give of my time and talent to make our community what it is today. I accept my responsibility as a citizen to help educate our youth and have done so for 34 years and counting. I am a lifelong caregiver to others but now have to worry about myself and how to remain here. I am a lifelong Maine employee working during a time in which wage inequity was commonplace and long hours were expected. I earned a modest retirement from Maine wages. Then let's add reevaluation that has been delayed again; another unknown. We were going to apply for the town rebate only to find we made <\$1000 too much to qualify for the \$91,000 income cap.

I am the face and voice of the thousands of current citizens in our Town that are getting the squeeze and we need your help and consideration. First and foremost, I am committed to a school solution. However, when it comes to any new spending projects that will directly hit the taxpayers or indirectly through school taxes, and/or do not address the longtime current needs of our own citizens, my/our depth is tapped/taxed out. Seriously.

I sense reluctance on the part of the majority of you to want to gather public comments, ideas, suggestions or a Plan B. This is odd when you are so open to other neighborhood meetings on safety and road issues. This will be a New Tax on the citizens of Cumberland, forever. How could you not want to openly engage and spend your time more wisely than coming up with some plan that may not be supported by a majority of the citizens? Aside from the comment from Councilor Segrist during the first public discussion on the 2 housing projects, after the meeting Councilor Vail shared with me that "I am not going to get my way". Then to find out that Mr. Shane shared with Councilor Storey-King he had the 4-3 for the Chase pit, even before Councilor Douglass and Council Folsom were sworn in was rather unsettling.

Although I understand why there seems to be some rush to get this moving before Mr. Shane's retirement this is a 5-8 year buildout. Why not let our next Town Manager dig the hole this project will create with a

new tax on the citizens they will be accountable to? From my viewpoint there is a clear appearance that these projects are being pushed. It also appears that Councilors have not been given the time or opportunity to engage outside of your influence group to gather ideas, concerns, options, understanding of needs and to get to know those this will impact.

Please table this tonight and set up Neighborhood Meetings to gather the input and support for a Plan that is best for the majority and put our Cumberland citizens first. Thank you for your time, consideration, and service.

IV. LEGISLATION AND POLICY

23 – 084 To hold a Public Hearing to consider and act on the adoption of the Twin Brook Recreation Area Forest Management Plan and Invasive Plant Control Practice Plan, as recommended by the Town Forester.

Councilor Filson explained that at our last meeting, we had a report from our Town Forester, Paul Larrivee. He presented two documents that were designed to work in tandem with each other, the Plant Control Management Plan and the Forest Management Plan for Twin Brook. These two documents are a reflection of the Town's guiding principles around forest management and have been updated to deal with the invasive plants, which are a real problem at Twin Brook. The invasives have to be addressed before we can do any active forest management harvesting.

Chairman Segrist opened the Public Hearing.

John Leavitt and Todd Ontl, members of the Lands & Conservation Commission Forestry Subcommittee spoke in support of the adoption of both plans.

Mike Schwindt, Chairman of the Lands & Conservation Commission said that these plans are a conservative approach to our forest management plan and the Commission is recommending approval.

Chairman Segrist closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Vail, to adopt the Twin Brook Recreation Area Forest Management Plan and Invasive Plant Control Practice Plan, as recommended by the Town Forester.

VOTE: 7-0 UNANIMOUS

23 – 085 To hold a Public Hearing to consider and act on the recommendation of Gorrill Palmer Engineers to make the intersection of Tuttle and Middle Road a 4-way stop. *TABLED*

Motion by Councilor Storey-King, seconded by Councilor Douglass, to table to August 28th.

VOTE: 7-0 UNANIMOUS

23 – 086 To authorize the Town Manager to accept payment for delinquent and current taxes in the amount of \$7,000.00 on property identified as Tax Map R07/Lot 69 and prepare and execute a lien discharge for the FY20 foreclosed tax lien.

Chairman Segrist explained that this is payment for 2020 taxes and a portion of 2021 taxes.

Chairman Segrist asked for any public comment.

No public comment.

Motion by Councilor Filson, seconded by Councilor Copp, to authorize the Town Manager to accept payment for delinquent and current taxes in the amount of \$7,000.00 on property identified as Tax Map R07/Lot 69 and prepare and execute a lien discharge for the FY20 foreclosed tax lien.

VOTE: 7-0

UNANIMOUS

23 – 087 To authorize the Town Manager to accept payment for delinquent taxes in the amount of \$300.00 on property identified as Tax Map U19/Lot 18 and to authorize a payment plan for future delinquent tax payments.

Chairman Segrist asked for any public comment.

No public comment.

Motion by Councilor Vail, seconded by Councilor Copp, to authorize the Town Manager to accept payment for delinquent taxes in the amount of \$300.00 on property identified as Tax Map U19/Lot 18 and to authorize a payment plan for future delinquent tax payments.

VOTE: 7-0

UNANIMOUS

23 – 088 To hold a Public Hearing to consider and act on a Medical Marijuana Registered Caregiver License renewal for SSJA, LLC (owner Jacob Acheson) located at 217 Gray Road.

Councilor Storey-King pointed out many inconsistencies in the application.

Town Manager Shane suggested tabling this item to the next meeting.

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

VOTE: 7-0

UNANIMOUS

23 – 089 To set a Public Hearing date of August 28th to consider and act on authorizing the Town Manager to prepare a Request for Proposals for an affordable housing project to be constructed on the Town owned property on Drowne Road.

Chairman Segrist explained that we had a workshop earlier this evening with Tyler Norod of Westbrook Development Corporation. We appreciate Mr. Norod coming to our workshop and putting some reality into how these things work. This process started with the Town Council identifying an issue, as every community has, with a lack of affordable housing. We formed a Housing Task Force, who spent several months meeting and coming up with plans and strategies to create an affordable housing project and keep it affordable. This was followed by identifying a potential lot of land on Drowne Road. Followed then by trying to make sure it addresses the right market. We then hired a consultant to prepare a report on which income levels and age groups would best be served by an affordable housing project in our Town. The next step is to figure out how to take all the data and turn it into a real visual project and what it might look like. We now want to kick start that process by authorizing the Town Manager to reach out to developers to submit proposals for us to consider. The action this evening is to set a public hearing for August 28th to authorize the Request for Proposal (RFP) process to begin.

Councilor Edes said that the Town Council has not given the Town Manager any direction as to what to ask for in the proposals. Perhaps we should discuss this in a workshop in order to give him some direction.

Councilor Storey-King agreed. She feels like we still need to have a conversation as a group. We have talked with the consultant about the report, but we haven't talked about what the report means to each Councilor individually. Her concern isn't only with senior citizens not being able to afford their taxes, but rather the entire community not being able to afford their taxes moving forward. When she dug into the report data, she learned that there are 13% of Cumberland households that make less than \$50,000 a year. There are 1,122 households that make under \$100,000 a year. That's 38% of our households. She wonders if the report really supports some of the ideas that are floating out there. She is not convinced that it does. She is not comfortable asking for a Request for Proposals when we're not clear what we want.

Chairman Segrist said that he appreciates those comments. We had a Housing Task Force who gave us a recommendation that there should be a mix of housing. The housing study said that we don't have the demand in our Town to build a senior only facility or a family only facility. The study recommended a mix of housing. We need to make space for all the groups as they are all important.

Chairman Segrist asked for any public comment.

Bruce Sherwin of 292 Blanchard Road asked what this project is going to do to the current taxpayers in this town. The Town Council's first obligation is to the current taxpayers. This process is such that laymen like him do not understand it. The 55-unit senior housing on Route 1 is in a Tax Increment Financing (TIF) area. He looked hard to see when that was approved by the Town Council and cannot find that vote. He would like to know when the "heavy lift" votes will happen so people can show up. What is the Planning Board's role and what is the Town Council's role on these projects?

Chairman Segrist replied that the Planning Board's role is to ensure that any developers or projects coming forward are done in accordance with our current ordinances and zoning.

Town Manager Shane added that once a plan and zoning is approved, such as the TIF District was set up on Route 1, the Planning Board reviews those projects and approves them to move forward or not. The process that we are speaking about this evening is at its infancy stage and the Town Council has to decide what it wants to build, if anything, on the parcel of land. Then it will go to the Planning Board and we as the owners of the land can say this is what we want to build, and the Planning Board will go through their review process.

Mr. Sherwin said that he is not against growth in our Town. He is in favor of natural or controlled growth but is against exponential growth. He does not think that the taxpayers are with the Town Council on this project.

Rick Doane of 4 Catalpa Lane said that there are so many facets to this issue. There are the number of units to be constructed. There is the income level of the potential renters. There is whether or not there is genuine protection for people with connections to the community. Some sort of vision needs to be laid out. The central tenet of most of the recommendations from the Housing Task Force was a revitalized Cumberland Housing Authority to try to bring the expertise and help to provide sustainability, affordability, and the like. There has been no talk about that. There is room for a lot of things to happen that are positive, and he urged the Town Council to become more specific in their recommendation and bring an RFP to the table, and not just give the Town Manager some loose guidelines.

Jana Spaulding of West Cumberland said that she agrees that we need to do our part. In the past 12 years, the Town of Cumberland has built 558 new households (structures). That is a 20.6% increase in households. In the same period of time, North Yarmouth built 18 additional households. That is the direct result of what's happening with our school district. We've done our part. She's not saying that we should do nothing, but we have other issues that we need to solve. Whatever we do has to not exacerbate those issues. We have a looming revaluation and people are terrified of losing their homes. We're not all wealthy. We're stressed, we're panicked, and afraid. Please respect that and find solutions for the people that live here, and for the school district, so we can continue to make this the Town what it has always been and will continue to be.

Arnold Klugman of Bradbury Way said that he feels that the Town Council is acting irresponsibly. There isn't a clear, concise, defined set of objectives to send out an RFP. Without giving the Town Manager some direction, you are trying to build a car by saying I want something that will take me someplace. Is that a plane, is it a car, or is it a bike? You have to create a defined set of wants. An alternative to central planning of what to do for housing is very simple. It's called supply and demand. The government doesn't control it, the economy does.

Scott Jordan of Cumberland Foreside asked if there is an actual framework for this RFP? It appears that there is not.

Councilor Storey-King said that we are getting some good feedback on this item and wondered if neighborhood meetings are being considered as we have done with other projects in the past.

Councilor Edes said that the Town Council has to define this RFP. Not the Town Manager. We have not defined anything yet. This is so unknown at this point, and he still cannot support it.

Councilor Filson said that from her perspective, we are in the information gathering stage and we have received a lot of data. The exercise of looking at proposals will help with understanding what a mix of housing would look like, what senior housing would look like, what workforce housing would look like. We don't know any of this yet. For her, the RFP process is another milestone in the information gathering phase. If and when we find a plan that we do like, we will have those neighborhood meetings and talk any concerns through with the public.

Councilor Storey-King said the Council members haven't had a conversation about any concerns each of us may have with the housing study. She had some things that jumped out for her, but we never spoke about our concerns or the details in the study as a group.

Councilor Copp said that he is currently not for or against this project, but he agreed with Councilor Storey-King that we need to discuss it as a group to come to a consensus. This deserves to be well thought out. He appreciates the discussion this evening. A lot of the comments from the public make sense to him.

Motion by Councilor Vail, seconded by Councilor Filson, to set a Public Hearing date of August 28th to consider and act on authorizing the Town Manager to prepare a Request for Proposals for an affordable housing project to be constructed on the Town owned property on Drowne Road.

VOTE: 4-3 (Copp, Edes and Storey-King opposed) MOTION PASSES

23 – 090 To authorize the issuance of Senior Property Tax Assistance Program payments.

Councilor Segrist asked for any public comment.

No public comment.

Motion by Councilor Copp, seconded by Councilor Vail, to authorize the issuance of Senior Property Tax Assistance Program payments.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Copp – Condolences to the Biskup family on the passing of Mike Biskup. Mike was a really good guy who will be sadly missed. He has done a lot for this community.

He and his good friend Dean donated to the 4-H fund that benefits the Food Pantry. The Cumberland Fair is coming up soon and this is a very worthy cause.

Before the meeting this evening, Councilor Vail mentioned that the Lion's Club is looking for donations for the construction of their food booth at the fairgrounds. He made a donation to this very worthy cause. The Lions Club does a lot for our community.

Councilor Vail – He also made a donation to the Lions Club for the new booth at the fairgrounds. It is very impressive compared to the old booth.

He would like the Town Council to consider developing a conflict-of-interest policy.

Councilor Filson – no new business.

Councilor Douglass – Thank you to the Parks and Recreation Department as well as Angela Stone for their help with the Twedsbrook event. It was hugely successful and showed the need in our community for those types of events.

She asked the Town Manager what the Town’s long-term plan is for electric vehicle charging stations around Town.

North Yarmouth has a Living Well Committee as opposed to an Aging in Place Committee. She would like to explore this because it encompasses a greater population in our community. We could have subcommittees that focus on specific groups while working together to combine resources and be thoughtful of our entire community.

Councilor Edes – Thank you to the Town Council for their support over the past couple of weeks. His best friend, Pete Bickmore passed away and in honor of Pete, he would like to donate his quarterly Town Council paycheck to the 4-H food pantry fund.

Councilor Storey-King – The Library is doing a space study which will determine how much new space is needed.

She also extended condolences to the Biskup family.

Chairman Segrist – He also thanked those who made the Twedsbrook event a success.

He reminded the public that if they meet the requirements for the Senior Property Tax Assistance Program, they should apply as soon as possible.

There will be a neighborhood meeting on Wednesday, August 23rd at Val Halla to discuss the proposed 4-way stop at the intersection of Route 100, Range Road at J Brothers. Then on August 28th, there will be a Public Hearing at the Town Council meeting to consider making this intersection a 4-way stop.

He thanked everyone on the Town Council and members of the public for a very good discussion this evening.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 9:38 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary