

MINUTES

Cumberland Town Council Meeting
Town Council Chambers
Monday, April 8, 2024
5:00 P.M. Budget Workshop

7:00 P.M. Call to Order

Present: Councilors Segrist, Storey-King and Vail

Tardy: Councilor Copp

Excused: Councilors Douglass and Edes

I. APPROVAL OF MINUTES

Motion by Councilor Vail, seconded by Councilor Filson, to accept the March 25, 2024 meeting minutes as presented.

VOTE: 4-0 UNANIMOUS

Councilor Copp arrived at 7:15 p.m.

II. MANAGER'S REPORT

Town Manager Shane introduced School Board member Megan Lichter, who gave the following update on the new school project:

In March the board voted to move forward with an on-campus option for addressing our school overcrowding issues. If you recall, we had two options for a new school project - 80 Gray Road, and the on-campus option. 80 Gray Road, though it had its merits, had expanded in cost to almost \$80M. It had other drawbacks, but the main concern voiced by voters in both Cumberland/North Yarmouth focused on the cost. In contrast, the on-campus option which was made possible with a Cumberland voter-approved purchase of land adjacent to the existing campus is not only less expensive, but provides for a comprehensive project to address overcrowding, traffic, building upgrades, playing fields, and cost. The school board voted to move forward with this option, and I'll tell you a bit about how this option addresses our concerns.

Regarding overcrowding, the new school will accommodate PK-1 and with the movement of these students into their own building and the shuffling of other students, we will be able to remove ALL portables and reclaim green space at MIW and the MS. The new school project accounts for population growth and with enrollment projections, will address our enrollment needs for a decade or more.

Regarding traffic, built into the one campus plan is a reworking of traffic flow on much of the campus. If you've been on campus for drop off or pick up, or have even been near campus in the morning or afternoon you know that traffic is difficult on and around the school. This plan adds parking and reworks traffic flow on campus and provides for widening Main and Tuttle to ease congestion into and out of the school.

Regarding building upgrades: MIW will give up PK-1, but gain 4th grade. The building is not suited for this change yet and the plan accounts for upgrades and the addition of four new classrooms to, again, address our needs for years to come. The LAST thing the board wants is a short-sighted project. The maintenance building, which the Cumby historical society pointed out to us is an important historic building will, sadly, not remain in its current state. We met with members of the historical society who shared their concerns that this building be remembered and honored and we plan to do just that. The

builder and architect were part of this meeting and we discussed preserving a part of/something from the building to include in the future plan with a plaque or description detailing the history of the building that came before. We thank the historical society for bringing this to our attention and look forward to discussing concrete plans as they emerge.

Regarding the turf field: Over the last few months student athletes, parents, coaches, and the school's athletic director illustrated for us how badly an alternative to the current playing field is needed. For example, current use of Hutchins field by all sports team over the playable weeks totals 162 hours. Dave Shapiro, athletic director estimates that a turf field which could be used by all sports teams, AND PE classes and the community for 9+ months would give over 1600 hours of play time. Hutchins field is grossly underused because of the variability of the playing surface and our teams suffer for it. We heard from several student athletes about their need to drive, usually at night, to a turf facility in Portland or even August for practice time. For example, a recent junior athlete told me that his team's turf time at the MAC was from 9PM - 10:30PM. Imagine a team full of tired high schoolers driving home from Portland at 10:30PM. The board felt it important to include a turf field in this project NOW as this problem of an unusable field has gone on for so long and is posing some real challenges to our kids and families.

Lastly, Cost: this project is a reduction of almost \$25 million from the 80 Gray Rd proposal and addresses a number of long-term issues to set us up for success for at least the next decade. We heard from our community that they wanted a cost-conscious solution that is sustainable in the long term. One where we wouldn't be coming back to the community for more, more, more. This plan does that.

This is a good, comprehensive plan and the board is excited to continue answering questions and welcoming feedback from our community about the plan. To that end, we will be hosting in person and online events to field questions and dialogue. The handout I have here details upcoming events.

Town Clerk Jennifer Doten, gave the following update regarding nomination papers:

Nomination papers are due this Thursday by 6 p.m. People that have taken out nomination papers have to obtain at least 25 signatures, but not more than 50. We have 3 Town Council seats and 2 School Board seats open. Currently, we have had 13 people take out nomination papers for the various seats. Of the 5 people that have turned their papers in, 3 are running for the At-Large Town Council seat, 1 for West, and 1 for Foreside. There have been no papers returned for the School Board yet. If no papers for the School Board seat are returned, she will have to hand tally votes for qualified candidates. If after the election the elected write-in candidate declines the office, then at the end of June the seat of the former School Board member would become vacant and the Town Council is empowered by the charter to fill the seat until the next regular election, which is June 2025.

Town Manager Shane said that the warming and charging station was open at Town Hall this past weekend after the storm. There were about 70 people who took advantage of a place to work, charge their devices, and keep warm. Councilor's Filson and Vail stopped by to help make coffee and check on everyone.

The April 22nd Town Council meeting will be moved to April 29th in observance of Passover.

The Joint Standing Committee will meet this Wednesday at 5:00 p.m. at the North Yarmouth Community Center.

There will be a neighborhood meeting on April 25th at 6:00 p.m. with the residents of the Town Center District.

The new resident orientation will be held on May 7th at 6:00 p.m.

Meet the candidate's night will be held on May 8th at 6:00 p.m.

An item was added to the agenda this evening, so a motion will have to be made to add item 24-030.

III. PUBLIC DISCUSSION

Bruce Sherwin of Blanchard Road said that he went to the School Board meeting last Monday evening. He has had a lot of people ask him to talk about the turf field issue, because they are like him, and don't want to see the turf field blended in on the ballot along with the new school. It should be a separate question on the ballot. It's not that people don't want turf; they don't want to pay for it. It's the money, not the turf. He told the School Board that he feels that the Little League fields have higher priority than the turf. His philosophy is that we should get the Little League fields into the school project so North Yarmouth will be responsible for their portion. If we do a fundraiser to move the Little League fields, he will donate the first \$10,000.00.

Denise Thorsson of Friar Lane reminded everyone that the Community Orchard is having a planting day on May 5th from 9 a.m. to 3 p.m. next to the brush dump. There will be a potluck at noon and flyers will be posted in public areas around town to advertise the event. Everybody is invited to attend and help plant trees. This is not only a planting day, but also part of the Town's requirement as a Tree City to have an Arbor Day celebration.

She was looking at the handout for the new resident orientation and had a suggestion. There should be a section added for volunteer opportunities in Town. When she first came to Town, she reached out to some local organizations to volunteer her time. She didn't hear back from anyone until she reached out to her neighbor who suggested she join the Lion's Club. It has been an amazing experience volunteering with the Lion's Club. She has met a lot of people, and it is an incredible way to connect with your community.

Lastly, as she has been watching the Town Council meetings since they have been recorded, and reading the meeting minutes, she learned that Councilors Foster, Storey-King and Edes formed a Social Justice Committee whose plan was to have training for new and current Town Councilors. Is this something that the Council does for new Councilors coming on board?

Chairman Segrist responded that we are currently working with our Human Resources consultant to create a new onboarding process for the Town Council. That could be training on everything from how to deal with a FOIA request, when a meeting is an official meeting and when it is not, etc. This is in the development stage right now, but we want to get it to the finish line as soon as possible, given the large turnover coming on the Town Council.

IV. LEGISLATION AND POLICY

Motion by Councilor Vail, seconded by Councilor Filson, to add item 24-030 to the agenda and move the item out of order and act on it first.

VOTE: 4-0-1 (Copp abstained) MOTION PASSES

Item 24-030 was considered first.

Councilor Copp said that he would abstain from voting on this item.

24 – 026 To consider and act on the acceptance of a Deed of Gift for the open space area in the Ross Estates Subdivision.

Chairman Segrist asked Chairman of the Lands & Conservation Commission, Mike Schwindt, to give us a little background on this item.

Mr. Schwindt read the following:

I am pleased to report that your Commission, at its April 3rd meeting, unanimously recommended that the Town Council accept the gift of 6.39 acres of open space in Ross Estates.

In our February 2021 recommendation to the Planning Board, (which is in the supplemental information contained with this agenda item, Page 17,) we addressed how this property could be a connector between 30 acres of privately-owned open space in the adjoining Stonegate Subdivision and connect with 20 acres of Town-owned open space in the West Branch Subdivision.

Since the developer's plan shows two existing trails in Ross Estates with one connecting to a trail in the town of Gray, having the land under Town control enables the development of future connecting trails through this and adjoining properties. There is no need to develop future agreements with the HOA on trail locations, uses and restrictions as well as removing the potential issue of who manages, constructs, and maintains any trails on the property.

Under the terms of the Conservation Subdivision ordinance, the permitted use of the space would include:

- *Passive recreation such as hiking, biking, snowshoeing, other low-impact activities,*
- *Agriculture, horticulture, silviculture or pasture uses, if using best practices,*
- *Nonstructural stormwater management such as rain gardens,*
- *Easements for drainage, access and underground utility lines as well as*
- *Other conservation-oriented uses such as community gardens (250-7)*

Prohibited uses include (250-8)

- *Roads, parking lots and impervious surfaces,*
- *Subsurface wastewater disposal systems and wells,*
- *Dumping or disposal of yard waste, vegetation*
- *Cutting except for*
 - *an annual mowing to prevent undesirable shrubbery,*
 - *removing forest cover and vegetation damaged or destroyed by forces of nature or*
 - *removing invasive vegetation.*
- *Active recreation*
- *Adding structures without prior approval.*
-

Again, we ask that the Town Council accept the gift of open space in Ross Estates. Thank you.

Chairman Segrist said that property taxes on this parcel are still being paid because the value of the gifted land is effectively dispersed and spread across the values of the properties within the subdivision.

Chairman Segrist asked for any public comment.

Bruce Sherwin of Blanchard Road asked if we were going to pave the dirt portion of Blanchard Road Extension because of all the building that is happening up there.

Town Manager Shane said that a portion of Blanchard Road Extension is being paved by the developer.

Motion by Councilor Copp, seconded by Councilor Vail, to accept the Deed of Gift for the open space area in the Ross Estates Subdivision.

VOTE: 5-0 UNANIMOUS

24 – 027 To hold a Public Hearing to consider and act on a Mass Gathering permit for Binnie Media's Ultimate Yard Sale to be held June 8th and September 7th from 9:00 a.m. to 3:00 p.m., at the Cumberland Fairgrounds.

Chairman Segrist said that this is the 9th year for this event.

Chairman Segrist opened the public hearing.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Copp, to approve the Mass Gathering permit for Binnie Media's Ultimate Yard Sale to be held June 8th and September 7th from 9:00 a.m. to 3:00 p.m., at the Cumberland Fairgrounds.

VOTE: 5-0 UNANIMOUS

24 – 028 To consider and act on authorizing the Town Manager to execute a lease agreement with US Bank Equipment Finance for the renewal of a 5-year lease of 2 photocopiers and a map plotter/scanner.

Town Manager Shane said that our current copier/scanning equipment has reached the end of its useful life, and the maintenance is starting to add up. We will be leasing new equipment.

Chairman Segrist asked for any public comment.

Bruce Sherwin of Blanchard Road said that this is for a renewal. Is this new equipment or renewing the lease on the old equipment.

Town Manager Shane said that we are replacing the current equipment with the same company that we have been working with for many years.

Motion by Councilor Filson, seconded by Councilor Vail, to authorize the Town Manager to execute a lease agreement with US Bank Equipment Finance for the renewal of a 5-year lease of 2 photocopiers and a map plotter/scanner.

VOTE: 5-0 UNANIMOUS

24 – 029 To set a Public Hearing date of April 29th to consider and act on a liquor license application for The Thirsty Traveler, LLC.

Chairman Segrist asked for any public comment.

No public comment.

Motion by Councilor Vail, seconded by Councilor Filson, to set a Public Hearing date of April 29th to consider and act on a liquor license application for The Thirsty Traveler, LLC

VOTE: 5-0 UNANIMOUS

24 – 030 To authorize the Town Manager to expend up to 10% of the roundabout project from TIF funds.

Town Manager Shane explained that we just received a letter today from Maine Department of Transportation (MDOT) requesting Council authorization by April 17th, for them to submit earmark funding to our Congressional delegation for the roundabout project on Route 100. We will submit letters of support and one of those letters will be to authorize up to 10% of the roundabout project cost, not to exceed 2 million dollars, without additional Council authorization. He believes that the project cost will be somewhere between 12 and 14 million dollars, so 10% would be 1.2 – 1.4 million dollars. It will take about a year to get the project ready to go out to bid. The request for funding will likely be included in our FY2026 budget. We discussed this earlier with the Finance Committee. 90% of the cost of this project will be paid by the state and federal government. This is a great project, and it will be a great addition to West Cumberland.

Chairman Segrist asked for any public comment on this item.

Bruce Sherwin of Blanchard Road said that he is not opposed to the roundabout but feels it is overkill. We're going to spend more than we want to on it. He asked if we are able to get our money back if the project doesn't go through.

Chairman Segrist said that we would not commit to the funding through TIF funds unless the project was earmarked and funded. If it is not funded, it's not built.

Mr. Sherwin asked if the TIF Committee voted on this yet.

Chairman Segrist said that anything that is done at the TIF Committee level that would require Council authorization, would go back to the Council for a vote. This was discussed during the Finance Committee meeting and two of the Councilors present this evening sit on the TIF Committee.

Denise Thorsson of Friar Lane said that as she mentioned earlier, she has been going through many years of Town Council meeting minutes and one thing that comes up over and over again is lack of interest in commercial development on the Route 100 Corridor. Town Councils present and past have been trying for a very long time to attract business there to increase our commercial tax base. By doing that, you are reducing the taxpayer burden, which is what everyone complains about. This is a great opportunity to modernize that area and make it nice. It will be an attractive place to go, it will be walkable with new sidewalks, and it will attract businesses. It will be a good thing.

Motion by Councilor Vail, seconded by Councilor Filson, to authorize the Town Manager to submit a letter to Maine Department of Transportation to support the Town funding of up to 10% of the roundabout project on Route 100, not to exceed \$2,000,000.00 of TIF funds, without additional Town Council approval.

VOTE: 4-0-1 (Copp abstained) MOTION PASSES

V. NEW BUSINESS

Councilor Copp – he and his good friend Dean both donated \$20 to the 4-H fund that benefits the food pantry.

He commended the Public Works and Public Safety departments for the outstanding job that they did during the last snowstorm. He was out in his wrecker for about 40 hours straight and had to put a chainsaw in his trucks to get where he had to be. He spent 4 ½ hours in Raymond getting a fire truck off a camp road because there were so many trees down and the road wasn't plowed. He traveled many different roads in many different towns, and Cumberland did a far superior job in keeping our roads clear.

Councilor Vail – he seconded Councilor Copp's comments and in addition to that the display of hospitality here at the Town Office was great.

Denise mentioned the Lion's Club earlier. We recently had somebody who had a medical emergency and the Lion's Club is looking to purchase a permanent aluminum ramp, which will be a great asset for our community.

Councilor Filson – thank you to Town Manager Shane for opening the warming center. He was always here (at Town Hall) and his warm, positive energy that he was exuding to people for hours and hours, days on end, made it a special place to be. It was wonderful to see so many people come to the warming center, and he was at the center of that. Thank you.

Thank you to Gordon Lichter for his 5-years of service as Chair of the Forestry Subcommittee, which is part of the Lands & Conservation Commission. He has stepped down due to his busy life. He has done a tremendous job and will be missed.

She and Councilor Douglass are working on onboarding materials that should be ready for the new Town Councilors who will be joining us after the June election.

Councilor Storey-King – condolences to the Chadbourne family on the passing of Ted Chadbourne. He was a frequent visitor to Town Hall and served on many committees.

Thank you to the Cumberland Fire Department for their Easter eve response to a gas leak in which residents had to be removed from their homes and taken to the Fire Department.

Tomorrow is the last day of Ramadan. She wished "Eid Mubarak" to all of our Muslim friends and citizens in Cumberland. Her nephew is Muslim, and he is looking forward to the end of his fast.

Chairman Segrist – we will have another budget workshop from 5:00 to 6:30 p.m. on April 29th, and on May 13th the Town Manager will present the budget and Town Council will consider adoption of the FY25 municipal budget.

VI. ADJOURNMENT

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

VOTE: 5-0 UNANIMOUS

TIME: 8:48 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary