

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

Monday, January 12, 2026

6:00 P.M. Workshop re: Capital Improvement Plan (CIP)

7:00 P.M. Call to Order

Present: Councilors Douglass, Filson, Magoun, Michalak, Thorsson, and Vail

Excused: Councilor Edes

I. APPROVAL OF MINUTES

Motion by Councilor Michalak, seconded by Councilor Vail, to accept the December 8, 2025 meeting minutes as presented.

VOTE: 4-0-2 (Douglass and Filson abstained) MOTION PASSES

II. MANAGER'S REPORT

Our Recreation Department will be holding their winter festival on January 31st at Val Halla.

He received notice today from Central Maine Power that they are going to be doing some pole work on the west side of Town (George Road, Skillin Road, and Gray Road area) beginning on January 26th. The work will take approximately 6 weeks.

III. PUBLIC DISCUSSION

Shirley Storey-King, of East Cumberland, said that she wants to thank the Town Councilors who attended the Cumberland/North Yarmouth Joint Standing Committee in December. You all did a great job. It was exactly 2 years ago that she made a motion (as a Town Councilor) to ask the school district to look at the current school cost sharing formula. She encouraged the Town Council to keep the efforts going on this.

Central Maine Power (CMP) held a public forum here in the Council Chambers last month. There were very few answers to the questions asked by attendees. She made the suggestion that CMP be in communication with the Town Council because one of the proposed powerlines will run across Chandler Field and across Councilor Thorsson's property. As an alternative, they could run it under Greely Road and through Storey Brothers public easement, to the railroad tracks. They are going to triple the current powerlines.

She said that she would like to see more advance notice on when the Council agenda is posted. She noticed that on the agenda this evening is the acceptance of delinquent taxes. She urged the Council to ask how many delinquent properties there are during the budget process. It is a nice way to keep a pulse on the community.

She thanked the Council for everything they do.

Bill Young of Hedgerow Drive said that he attended some of the Finance Committee meetings at the school, and there is a proposed budget increase of 6% for the one campus project in FY28. With TIF #1 coming on board, he would not want to be in the Town Council or School Board's shoes. The school doesn't know how much they will get reimbursed from the state, and there are still a lot of questions to be answered.

IV. LEGISLATION AND POLICY

Opportunity for Public Comment. Per Article 2, Section 7 of the Town Charter, there will be an opportunity for public comment on each item on the agenda. Comments are limited to 5 minutes per person.

26 – 001 To set a public hearing date of January 26th to consider and act on forwarding to the Planning Board for a public hearing and recommendation, amendments to Chapter 250 (Subdivision of Land), as recommended by the Ordinance Committee.

Councilor Thorsson, Chair of the Ordinance Committee, explained that the Ordinance Committee discussed this citizen proposal to amend subdivisions and definitions to explicitly only allow conservation subdivisions to be submitted to the Planning Board, thereby removing cluster and traditional subdivisions. The idea is, if we already have conservation subdivisions as our default, why not make it the only option? There are also provisions for allowing quantifiable and verified extenuating circumstances for developers to request a waiver. This was brought forward because it's about our priorities and Town vision, intentional development in accordance with our climate action plan and comprehensive plan. The Ordinance Committee voted to bring this to the Town Council for discussion, noting that it is in draft form and the Town Attorney would have to review it. For anyone who is not aware, conservation subdivision requires that at least 50% of the land to be open space, with the goal of contiguous open space to preserve habitat resources and concentrate growth in areas not designated as farmland, wetlands, forests, or other valuable natural resources.

Chairwoman Filson asked for any public comment on this item.
No public comment.

Councilor Vail said that the object of this is to clean up some of the ordinance language. The Planning Board has a conservation subdivision on Bruce Hill on its agenda this month. It is the property where the Golf Learning Center was, and it is an interesting piece of property whereas the back parcel is ideally situated to be tied into the existing trails and other pieces of property that are of interest to the Town. This really is the direction that the Comprehensive Plan Committee and the Lands and Conservation Commission are going.

Chairwoman Filson said that this seems like the type of land use work that the Comprehensive Plan Committee is currently working on. It feels like we're not giving them the opportunity to make their recommendations by jumping ahead on this.

Councilor Vail said that he thinks it could be argued that this is the direction that came from the last Comprehensive Plan. Preservation of open space is a key component of the last Comprehensive Plan.

Chairwoman Filson said that there are a lot of people on the Comprehensive Plan that are currently working on this, and she feels that we should let them do their work. When they put their plan forward, it will go to the Planning Board, so the Planning Board will see it anyway. Why not put this on hold, and send it to the Comprehensive Plan Committee to make their recommendations? Is it important enough that we have to move it to the Planning Board right now?

Councilor Vail said that he does not see any reason to delay it. Due to the pressures that are on our community based on the actions of LD1829, we should be doing everything we can, up to and including a full moratorium on all building activity in this community, until we have a Comprehensive Plan. Conservation subdivision is in a sense, protecting us as much as possible in lieu of a repeal of LD1829.

Councilor Thorsson said that for her, since this is simply forwarding it to the Planning Board, she is less inclined to hold it back, especially since conservation subdivisions are already the preferred subdivision option.

Developers currently have to prove that conservation subdivision would be a significant hardship for them, and the current language is very loose on this. She would like to get the Planning Board's take on this.

Chairwoman Filson pointed out that this covers only 2 zones, and the Comprehensive Plan Committee is looking at zoning townwide. The recommendation should come from the Comprehensive Plan, which is supposed to be the foundation of our zoning.

Councilor Michalak said that he feels that it won't hurt for the Planning Board to look at it now.

Councilor Magoun asked the Town Manager what the timeline would be for the Planning Board to look at it and send it back to the Council.

Town Manager Sturgis said that the Planning Board would have it on their February agenda and it would be back to the Council to set a public hearing for the second meeting in February, and act on it at the first meeting in March.

Councilor Magoun said that timeline would be so close to when the new Comprehensive Plan will be done and we will have the direction that the Town is going to take.

Chairwoman Filson said that she would be happy to bring this to the Comprehensive Plan Committee for their consideration.

Councilor Thorsson said there are changes that need to be made to the ordinance anyway and time does not stop because we're waiting for the Comprehensive Plan. She is in favor of sending this to the Planning Board for their recommendation. When the Comprehensive Plan is finished, how many months are we going to spend looking at all of our ordinances and making the changes that we will have to make?

Town Manager Sturgis explained that part of the Comprehensive Plan process is to create checkboxes to prioritize what needs to be done first, second, third, etc. in regard to amending ordinances.

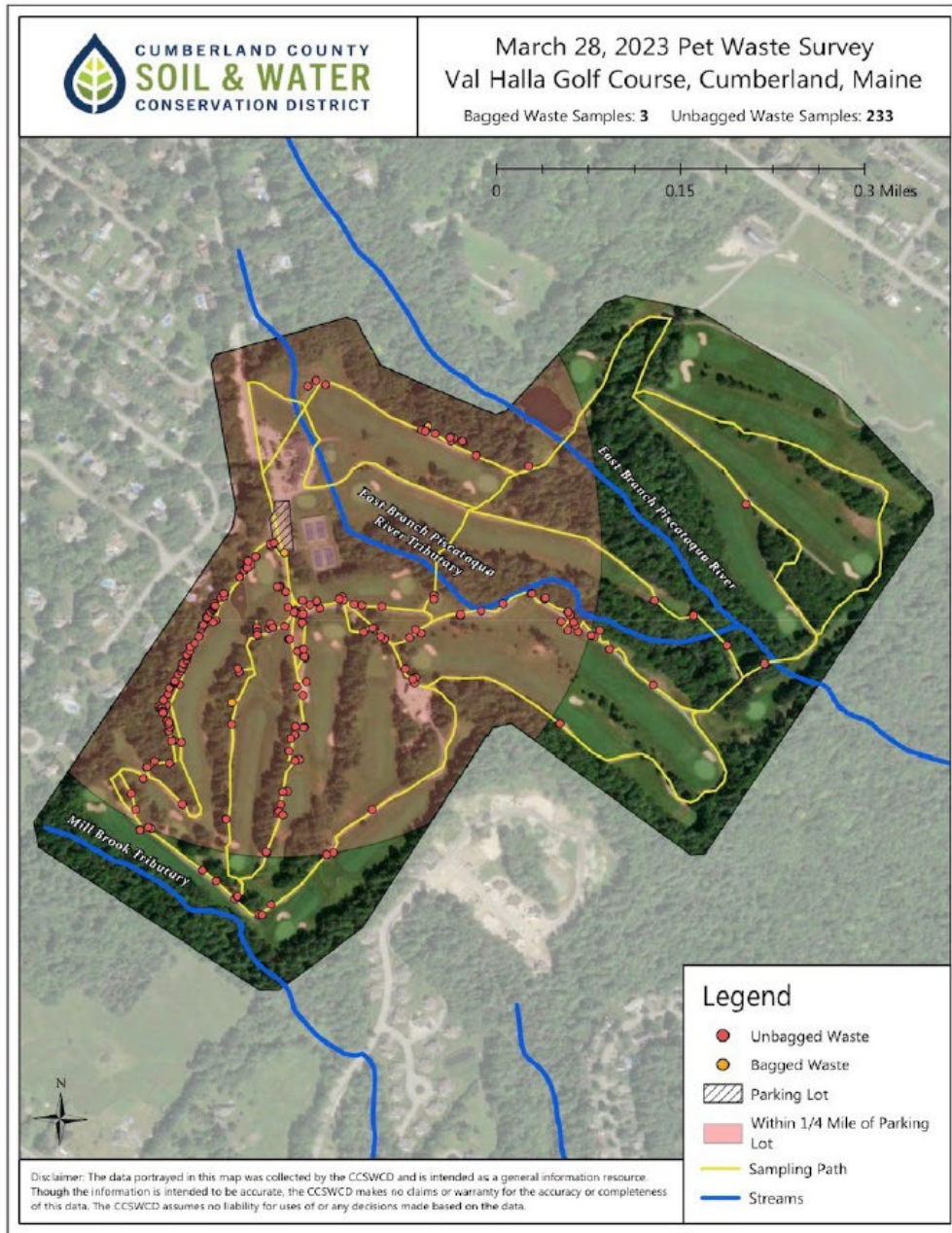
Councilor Douglass said that while she understands both sides, she feels that the Comprehensive Plan Committee is being undercut, and as soon as you erode the trust between the Council and community members, it starts to spiral. She recommended tabling this and letting the Comprehensive Plan look at it.

Motion by Councilor Michalek, seconded by Councilor Douglass, to table.

VOTE: 4-2 (Thorsson and Vail opposed) MOTION PASSES

26 – 002 To set a public hearing date of January 26th to consider and act on amendments to Chapter 17 (Animal Control), Section 3 (Dogs at Large), of the Cumberland Code of Ordinances, as recommended by the Ordinance Committee.

Councilor Thorsson explained that this comes down to responsible and irresponsible dog owners, specifically at Val Halla. The current ordinance states leash only on pathways from March 1st to December 1st, and dogs are allowed under owner/keeper control from December 2nd to February 28th. The Ordinance Committee is proposing that this be amended to state that no dogs are allowed on the Val Halla Golf Course and its pathways from March 1st to December 1st. Dogs are allowed from December 2nd to February 28th with the following conditions: dogs must be on a leash in parking lots and on the front holes (1-9) and its pathways. Dogs can be off leash on the back 9 (holes 10 through 18). The primary reason for this is that people are not picking up after their dogs (she referred to the map below which indicates dog waste by the red dots). The goal is to eliminate the dog waste issue.



Chairwoman Filson asked for any public comment on this item.

Doug Brown of Carol Street said that he walks his dog at Val Halla, and he thinks it is ridiculous to try to limit where dogs can be walked because some people don't clean up after their dogs. They do the same thing at Twin Brook and other Town-owned property. In his experience, most people do pick up after their dogs and try to keep the area clean. How will this be enforced? It will still happen and you are restricting the responsible dog owners.

Chairwoman Filson closed public comment.

Councilor Magoun said earlier today, the Town Council received an email suggesting that Greely Woods have the same rules as Rines Forest and Knight's Pond, which states that dogs are allowed under owner/keeper control. This is the one area of Town owned land that is not addressed in this ordinance.

Councilor Michalak said he is happy to take this to a public hearing, and he understands amending the ordinance in hopes of compliance, but he is not sure if it will solve the problem.

Councilor Douglass said that she supports moving this forward. We are not restricting dogs; we are simply having them on leash in order to be able to monitor their activity. She would also be in support of adding a dog management plan to Greely Woods.

Motion by Councilor Michalek, seconded by Councilor Douglass, to set a public hearing date of January 26th to consider and act on amendments to Chapter 17 (Animal Control), Section 3 (Dogs at Large), of the Cumberland Code of Ordinances, as recommended by the Ordinance Committee.

VOTE: 6-0 UNANIMOUS

26 – 003 To set a public hearing date of January 26th to consider and act on amendments to the Personnel Ordinance, as recommended by the Ordinance Committee.

Councilor Thorsson explained that this ordinance has many updates that are housekeeping in nature.

Chairwoman Filson asked for any public comment on this item.
No public comment.

Motion by Councilor Douglass, seconded by Councilor Magoun, to set a public hearing date of January 26th to consider and act on amendments to the Personnel Ordinance, as recommended by the Ordinance Committee.

VOTE: 6-0 UNANIMOUS

26 – 004 To authorize the Town Manager to accept payment for FY2024 delinquent taxes in the amount of \$3,140.52 on property identified as Tax Map R08, Lot 64.

Town Manager Sturgis said that the property owner has a plan in place to bring the property taxes current.

Chairwoman Filson asked for any public comment on this item.
No public comment.

Motion by Councilor Michalak, seconded by Councilor Thorsson, to authorize the Town Manager to accept payment for FY2024 delinquent taxes in the amount of \$3,140.52 on property identified as Tax Map R08, Lot 64.

VOTE: 6-0 UNANIMOUS

26 – 005 To authorize the Town Manager to accept payment for FY2024 delinquent taxes in the amount of \$4,595.35 on property identified as Tax Map U14, Lot 48.

Town Manager Sturgis explained that this property owner has a payment plan in place that will bring all taxes owed current by spring.

Chairwoman Filson asked for any public comment on this item.
No public comment.

Motion by Councilor Douglass, seconded by Councilor Vail, to authorize the Town Manager to accept payment for FY2024 delinquent taxes in the amount of \$4,595.35 on property identified as Tax Map U14, Lot 48.

VOTE: 6-0 UNANIMOUS

V. **NEW BUSINESS**

Councilor Michalak – he donated \$20 to the food pantry, as he does at every meeting.

He has been thinking about the workshop that the Town Council had on the acceptance of Vining Way. The easy land to build on in this Town is gone, and building roads is going to become more challenging. In preparation for this, he suggested looking at our road standards to avoid problems in the future.

Town Manager Sturgis suggested having the Ordinance Committee take this up as an item on their agenda.

Councilor Vail said that we are not required to accept any road. We can change the road standards, which are not only in place to protect the Town, but also to protect the homeowners. The argument can be made that we should not accept any more roads due to the financial burden on the Town.

Councilor Michalak gave his appreciation to Town staff and Public Works employees for their work during the month of December. It was a challenging weather month, and they did a very good job.

We had a very good workshop earlier tonight regarding our Capital Improvement Plan.

Councilor Thorsson – she attended the Cumberland/North Yarmouth Joint Standing Committee meeting and gave her appreciation for being able to speak regarding revisiting the school funding formula, even though she is not on that committee. She wants to make it clear that when she attends meetings, she comes prepared with her own analysis, research, and her own thoughts. Financial matters are a particularly touchy and very important subject, and there are groups in the community dedicated to financial matters of the Town, which can make the vibe of a meeting feel a little off. This is what she felt at the Joint Standing Committee meeting, and she walked into a situation that felt different than she expected. She was there to simply convey information and attempt to get a conversation going, and she left feeling like she was cheerleading for a team that she didn't know she was on. She wants to keep the conversation going, but she does not want to be put in the middle of drama between people in another town and our town. Just to be very clear, it was not her intention to go into that meeting with any hostility or to put anyone on the spot. It was simply to start a conversation, and she still thinks that reevaluating the cost sharing formula is the right thing to do to be fair to both towns.

Councilor Vail – he attended a Cumberland County budget meeting last week and was chatting with a gentleman from the Town of Scarborough and learned that Scarborough was preparing a resolution to send to Augusta regarding LD1829. As we know, the State of Maine has passed legislation (LD1829) that has profoundly affected the planning of land use in our communities. He feels that we should also be crafting a response to the State. The Town of Cumberland does not need any more multi-million-dollar homes. We need affordable housing, workforce housing, senior housing, a nursing home, elder care, and end of life care. These are the efforts that we should be promoting.

There was discussion and consensus from the Town Council about working on such a resolution with assistance from the Town Manager and Town Attorney.

Councilor Vail said that earlier today, he and the Town Manager met with the Towns of Falmouth, Yarmouth, and North Yarmouth to continue discussions regarding the ways that the 4 communities can work together to collaborate. One of the interesting things that came up was the idea of sharing a facilities manager. He feels that this is an important position that we should discuss more. There was also

discussion about having the Town Managers meet on a bi-annual basis and including Freeport in the discussions. He urged that the leadership of the 4 communities get their Council Chair and Vice-Chair (or their appointees) to have a working group to examine their 5 and 10 year look-out and challenge the Town Managers to implement their ideas.

Councilor Douglass – no new business.

Councilor Magoun – the Lands and Conservation has previously presented some suggestions regarding compost, and if he recalls correctly, they suggested a trial period of opening the brush dump to composting. He asked where this is in terms of it coming to the Town Council for consideration. He is a little hesitant about this due to the cardboard situation recently where just cardboard was supposed to be dumped turned into any trash being dumped.

Councilor Thorsson said that she thought that the plan was that we would be best served by placing a couple of Garden-to-Garden containers in key locations around Town to start, so the Town does not have to manage it and it's clear what is allowed to be put in those containers. This would be a good place to start, and it can potentially be discussed during budget season.

Chairwoman Filson – no new business.

- VI. EXECUTIVE SESSION** pursuant to Title 1 M.R.S.A., § 405(6)(A) re: a personnel matter.
Motion by Councilor Vail, seconded by Councilor Michalak, to recess to Executive Session pursuant to Title 1 M.R.S.A., § 405(6)(A) re: a personnel matter.
VOTE: 6-0 UNANIMOUS
TIME: 8:56 P.M.

Reconvene to regular session at 9:40 P.M.

- VII. ADJOURNMENT**
Motion by Councilor Thorsson, seconded by Councilor Vail, to adjourn.
VOTE: 6-0 UNANIMOUS
TIME: 9:40 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary