

MINUTES

Cumberland Town Council Meeting
Town Council Chambers
Monday, February 23, 2026

7:00 P.M. Call to Order

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

Excused: Councilor Douglass

I. APPROVAL OF MINUTES

Motion by Councilor Michalak, seconded by Councilor Magoun, to accept the February 9, 2026 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

II. MANAGER'S REPORT

Town Manager Sturgis reported on the following:

Budget Preparation

We're continuing to work closely with all departments and the Finance Director as we put the finishing touches on the upcoming budget. Once the draft is in your hands, we'll move into the next phase of review together. I appreciate everyone's patience and collaboration during this annual lift.

Fire/EMS Staffing

Our Fire/EMS Department is currently advertising for two open Firefighter/EMT/Paramedic positions. These roles are critical to maintaining the high level of service our residents rely on, and we're hopeful we'll find strong candidates.

Police Hiring

The Police Department is progressing with efforts to fill its one remaining vacancy. This continues to be a priority, and we're moving through the steps to bring the right person on board.

Public Works Appreciation

I want to again extend my gratitude to our Public Works team. Their consistent hard work, particularly during this time of year, keeps the town running smoothly. Their commitment does not go unnoticed.

Nomination Papers Available

Nomination and candidate papers for the Town Council and School Board will be available starting Thursday, February 26, at the Town Clerk's Office. If residents are considering running for local office, now is the time to pick up the paperwork.

Seasonal Road Postings

As a reminder, several roads have now been posted for seasonal weight limits. Vehicles over 23,000 pounds will have restrictions in place from today through April 30. A complete list of affected roads is available on the Town's website. These postings help protect our roads during the spring thaw.

III. PUBLIC DISCUSSION

Shirley Storey-King of Shirley Lane said that the Portland Press Herald and Greater Portland Council of Governments are partnering to host an Accessory Dwelling Housing Summit on May 15th. Government officials are invited to attend.

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 – 017 To hold a public hearing to consider and act on a liquor license application for Rattle Shake LLC located at 319 Main Street.

Chairwoman Filson explained that this is the location of the former Louie’s Grille and Rise Pizza. The new owners of Rattle Shake LLC are moving into that location. The Fire Chief has been in communication with the owners regarding their commitment to monitoring the fire systems at the location, and there are no concerns from the Code Enforcement Officer or the Police Chief.

Chairwoman Filson opened the public hearing.

No public comment.

Chairwoman Filson closed the public hearing.

Motion by Councilor Magoun, seconded by Councilor Vail, to approve the liquor license application for Rattle Shake LLC located at 319 Main Street.

VOTE: 6-0 UNANIMOUS

26 – 018 To set a public hearing date of March 9th to consider and act on a liquor license renewal for Flannel Shirt Food Company LLC (Dara Bistro) for the period of March 28, 2026 to March 27, 2027.

Chairwoman Filson said that this is to set a public hearing date for the next Council meeting for Dara Bistro’s current liquor license, which will be due for renewal on March 28th.

Chairwoman Filson asked for any public comment on this item.

No public comment.

Motion by Councilor Vail, seconded by Councilor Magoun, to set a public hearing date of March 9th to consider and act on a liquor license renewal for Flannel Shirt Food Company LLC (Dara Bistro) for the period of March 28, 2026 to March 27, 2027.

VOTE: 6-0 UNANIMOUS

26 – 019 To authorize the Town Manager to accept payment for FY2024 delinquent taxes in the amount of \$2,748.58 on property identified as Tax Map U21, Lot 015.

Town Manager Sturgis said that this property owner has been working with staff to establish a plan to get their property tax payments up to date. This payment will take care of the second half of FY24.

Chairwoman Filson asked for any public comment on this item.

No public comment.

Motion by Councilor Vail, seconded by Councilor Magoun, to authorize the Town Manager to accept payment for FY2024 delinquent taxes in the amount of \$2,748.58 on property identified as Tax Map U21, Lot 015.

VOTE: 6-0 UNANIMOUS

26 – 020 To authorize the Town Manager to accept payment for FY2022 and a portion of FY2023 delinquent taxes in the amount of \$9,000.00 on property identified as Tax Map U14, Lot 008A.

Town Manager Sturgis said that these property owners plan to have this property current in the near future. There were some estate issues that had to be taken care of.

Chairwoman Filson asked for any public comment on this item.

No public comment.

Motion by Councilor Vail, seconded by Councilor Michalak, to authorize the Town Manager to accept payment for FY2022 and a portion of FY2023 delinquent taxes in the amount of \$9,000.00 on property identified as Tax Map U14, Lot 008A.

VOTE: 6-0 UNANIMOUS

26 – 021 To formally request the MSAD 51 Board of Directors to begin a review of and reconsideration of the cost sharing agreement between Cumberland and North Yarmouth.

Chairwoman Filson said that as a Town Council, we have a fiduciary responsibility to periodically review long-standing financial structures and ensure that they reflect current conditions. This agenda item falls under that responsibility. The current MSAD 51 cost sharing formula between Cumberland and North Yarmouth was established in 1966. Education and funding is divided into two main components: 1) required share, which is a state calculated minimum contribution based on a community's ability to pay, and 2) cost above essential programs and services (EPS), which is the State's baseline for estimating what it costs to educate students. Anything that is above that baseline is locally funded by the taxpayers. For decades, the cost above EPS has been allocated solely on the basis of State equalized valuation (property taxes) using a three-year rolling average that is calculated by the State. The current formula doesn't incorporate student enrollment figures at all. It is strictly the state equalized valuation. Looking back at the data from the last 18 years, Cumberland's student population has declined approximately 13%, North Yarmouth's has declined approximately 4%, and the cost sharing formula has remained tied to valuation during that time, despite those student population changes. Maine law allows districts flexibility in determining cost sharing models. Districts might use valuation, which is what we currently do, they might use a blended approach, which includes valuation and student population, or another mutually agreed upon method. In looking at some of the other Maine districts, we have seen a lot of the blended models or per pupil approaches, and there are some that use a 50/50 model. Over the past 10 years, we have looked at the math. If we had something that was more of a 50/50 blended model, that could have resulted in substantial savings for Cumberland (around \$1.3 million). Tonight's agenda item will not change the formula, and it does not dictate an outcome. It is simply to initiate a statutory process to request the MSAD 51 Board to convene a meeting of municipal representatives. That process also includes a neutral, State approved facilitator to help review the data and guide the discussion. This is the first step to begin that structured review process.

Town Manager Sturgis added that this is not a bad thing to do. It may or may not result in any changes. Oftentimes it's good to take the time to look and see if the course that you are plotting is consistent with where you intend to go.

Chairwoman Filson asked for any public comment on this item.

Andrea Berry of North Yarmouth said that she serves as the Chair of the North Yarmouth Select Board, and wants to be clear that at this moment she is not speaking on behalf of the Town of North Yarmouth, as their board has not had a chance yet to meet after being notified about this agenda item last Thursday, and they have not had a meeting since. She is offering her perspective as a fellow municipal official, who has been closely following this issue for a number of years. She is speaking regarding the request to the MSAD 51 Board of Directors to begin a review and reconsideration of the cost sharing agreement between Cumberland and North Yarmouth. She understands that cost sharing is a significant issue for both communities, and she appreciates the Council's desire to ensure that the agreement remains fair and sustainable over time. However, she respectfully suggested that this may not be the right moment to initiate this process. First of all, both Cumberland and North Yarmouth are currently going through a town-wide revaluation, and those updated valuations will directly affect how we understand each community's relative property value, which is a core component of any cost sharing discussion. It seems prudent to allow those revaluations to conclude so that any conversation is grounded in accurate and current data, rather than numbers that may soon change. Second, the MSAD 51 Board has expressed interest in conducting an enrollment and projection study, student enrollment trends, and long-term projections that are central to any thoughtful examination of a cost allocation. North Yarmouth is in full support of this enrollment study. Beginning a formal reconsideration before the study is completed would mean again, entering a complex statutory process without some of the most important data in hand. Third, the recent passage of LD1829, an act to build housing for Maine families and attract workers to Maine businesses, is amending laws governing housing density, and introduces significant changes to how housing can be developed across the State that may affect growth significantly and the patterns within both of our communities. The law requires municipalities to allow a minimum number of dwelling units per lot, and limits dimensional requirements, with especially broad implications for areas served by public water and public sewer. Because Cumberland has municipal sewer services and North Yarmouth does not, these changes could lead to very different development pressures in both towns. The legislative changes, including higher allowable density where sewer exists and reduced local review for small, multi-unit projects may accelerate housing growth and could in turn influence the future enrollment and property values in our communities. Importantly most and much of this implementation is still in rulemaking and interpretation and the long-term impacts on our tax basis and school populations are not yet clear, allowing more uncertainty around how this law will shape local development, and it will provide more stable foundation for us if we wait for that information to come down the pipeline. This discussion is arising in the middle of budget season for both of our towns and the MSAD 51. Introducing this uncertainty around costs leads to a potentially complicated budget development, public understanding or misunderstanding, and ultimately voter approval that may be negatively affected. Stability and clarity are particularly important at this time of year, at this moment. She said that she would be remiss if she did not acknowledge that even the initial public discourse of this idea, including on social media, has already highlighted how sensitive this topic is and how quickly it can affect perception between both of our towns. Both communities value our longstanding partnership within the MSAD and many other ways. If the Council does decide to move forward with this process now, she would strongly encourage a strong, collaborative effort and coordinated approach that prioritizes shared communications and mutual respect so that the discussion strengthens, rather than strains the relationship between our communities. Taken together these factors suggest that they're simply too many significant unknowns at this time. A reconsideration process is substantial and can have long-term impacts for both of our communities. Waiting until revaluations are complete, enrollment projections are finalized, budget season has concluded, and the practical impacts of LD1829 are better understood, will allow for a more informed, transparent, and constructive conversation.

Dave Noonan of Meadow Lane said that he applauds the Town Council for bringing this to the table. He brought it up during public discussion more than 2 years ago. The cost sharing agreement hasn't been addressed for 60 years. This will simply begin the discussion. Nothing will happen immediately or even in the very near future.

Paul Whitmarsh of North Yarmouth referred to a video by Bill Stockmeyer at a Joint Standing Committee meeting that is very informative. The savings that Cumberland would be looking at, if anything were to be able to actually happen, would be about 2% only on the amount above EPS, that would be cost shifted over to North Yarmouth. It's questionable whether it will be the panacea that you're all hoping to see. He understands that Cumberland pays 72% but only makes up 68% of the student population. But it doesn't seem fair to someone living in a 55+ housing development that they are paying anything toward the school when their neighborhood doesn't have any children in the school system. But that's just the way it works. We use property values to determine your taxes, and part of those taxes are based on the school. He is concerned that this will create too much friction. The biggest cost for both Towns is the school, and we should be asking the School Board to make some difficult decisions. They are looking at a 7+% increase in their budget. Why aren't we, as a Town Council and Select Board saying no, we are not going to accept that. Working together in order to control the school spending is really where our efforts should be, rather than trying to change the cost sharing formula.

Shirley Storey-King of Shirley Lane said that she introduced this more than 2 years ago when she was on the Town Council. When it comes to timing, there will be no good time for this to happen. As far as enrollment is concerned, she is encouraged by some of the cost sharing agreements that she has looked at online. Every district's cost sharing agreement can be found on the Maine Department of Education website. She looked at enrollment in Falmouth, Yarmouth, and Gray. Falmouth's enrollment is down, Yarmouth's enrollment is down below pre-Covid numbers (100 below where they were in 2019), and Gray's is the lowest it has been in 15 years. When we move forward, she hopes that a new cost sharing agreement will include adjustments for enrollment, which Freeport has in place. She would like this to be thoughtfully pursued, and the concerns brought up by our friends in North Yarmouth considered.

Councilor Michalak said that this can be viewed as a controversial subject by some, however, it doesn't have to be. This agreement has been in place for decades, and it hasn't been reviewed in decades. He was lucky enough to benefit from the MSAD 51 school system growing up. He recalled taking economics in high school and again in college. He was ahead of the curve because of what he was taught and learned in high school. The same could be said for calculus and physics. He believes in trying to give the children in this community the best education possible. He believes that he has a responsibility to the citizens of the Town of Cumberland to make sure their tax dollars are being spent as wisely as possible, and increases are kept to a minimum. In the last 25 years, the school system has greatly improved, and the Town's recreational facilities have been improved compared to when he was a child. We are very lucky to live here. We have a great community. However, we are at a crossroads financially. Longtime residents are feeling the pinch of our tax burden. The taxes in Cumberland have always been higher than surrounding communities. He has heard several citizens raise their concerns about property taxes and they are looking for relief. Everyone needs to remember that all the Town Council is requesting the School Board to do is to run the numbers. We need to find out if the numbers fairly represent what the citizens of Cumberland should be paying towards funding our children's education. We're not asking the School Board to cut educational funding. We are attempting to get the facts and figures and how much of the MSAD 51 budget should be funded by the Town of Cumberland based on the population. That is all we're trying to do right now. He spent a lot of time on Sunday afternoon reflecting on the Tri-Com meeting that we had a few weeks ago. Timothy Valente of North Yarmouth said that he would like to see the two Town's and the School Board work together more as one unit. He couldn't agree more that collaboration is a good thing. He feels collaboration starts with everyone sharing their needs. As a Council, he feels that it is our responsibility to share the needs of the Town of Cumberland. In addition to asking the MSAD 51 Board of Directors to review the cost-sharing agreement, he believes that it is

our responsibility to work towards providing the board with the needs of the Town. We have some excellent financial planning, but it's numbers on a balance sheet. It does not share the fact that our firefighters are using air packs from 1998, or our police department does not have a locker large enough to store a long gun that is confiscated, or a public works department that is using a front-end loader from 2003 with over 10,000 hours for a critical task. The school department does a great job articulating their current and upcoming challenges. He feels that it is our responsibility to share our challenges as a Town as well. By better understanding each other's challenges, it will allow us to plan and collaborate better than ever. Hopefully with better long-term planning, we can avoid spikes in the tax rate and accommodate budget needs. He fully supports the review of the cost sharing agreement that is currently in place.

Councilor Thorsson said that she did watch the August 2024 Joint Standing Committee meeting video, that Mr. Whitmarsh referenced, and she found it to be somewhat informative. Not having any idea about what she would be watching, she found it to be extremely negative, with an air of dissuading anyone from trying it. There was a lot of fear mongering in the video as well as fear of the unknown. The 3 main reasons why were: 1) that only the percentage over EPS is what factors into your cost sharing agreement, 2) most of the other districts don't do per pupil, so MSAD 51 should not try it, and 3) it's long and complicated. These are all unacceptable reasons to not do it. Meaningful change is rarely fast or simple, and that alone is not an argument not to pursue a normal process that exists in a statute that many Towns have done, many Towns will do in the future, and that we have not done in 60 years. The term "volatile nature" was used in the video many times. It was like the process was being set up for failure. If we go into it with an open mind and look at it objectively without trying to inflict that negative opinion on the process from the get-go, we will have a much better time. In regard to social media impressions, we know that social media is not a reflection of how people vote, and it is also not a great vehicle for transparent information. That is why it is up to Town's to make sure that they are being open and putting all the information out there. One of the reasons for a facilitator is to make it an objective process in presenting the facts. Revaluations have been mentioned multiple times. Revaluations do not have any impact on what the State is valuating you as far as how they're going to share costs with EPS. We need to squash that talking point immediately because it is misinformation.

Town Manager Sturgis said that it's all State valuation, which is determined by the Department of Maine Revenue Services.

Councilor Thorsson said that she does not want there to be any talking points about Cumberland versus North Yarmouth. That is not what is happening. Doing this will make sure that this agreement is futureproof and is something that we revisit on an interval to make sure that it stays fair going forward.

Councilor Vail said that Mr. Whitmarsh struck the real issue, which is the working conditions with the SAD. Tomorrow afternoon at 3:00 we are going to be meeting with Yarmouth, North Yarmouth, Freeport, and Falmouth to discuss ways that we can consolidate services and practices. We should be asking the school to join the conversation. If we go through the process of looking at the cost sharing agreement formula, Cumberland is going to vote yes, and North Yarmouth is going to vote no. He does not see the exercise playing out. We have been doing this for 60 years, and we have to start doing things smarter and better.

Councilor Magoun said that he feels that it is good practice to review things on a regular basis to make sure that it still works. If it doesn't work, we find something that works. It's been 60 years and it's a good idea to take a look. We owe it to ourselves and our taxpayers to review and see if this is the right way to go or if there is another way to go.

Councilor Edes said that he has been on a lot of boards in his lifetime, and the one constant phrase that comes up is fiduciary responsibility. We have a fiduciary responsibility to the taxpayers of Cumberland, not North

Yarmouth, to revisit this. The funding formula was set in 1966 when the population of North Yarmouth was approximately 700 people and Cumberland was approximately 3,000. Things have changed a lot, and to not look at a funding formula that is 60 years old would be wrong and we would not be fulfilling our duty. We pick up more than our share. If the police, fire, or rescue have to respond to our school system, it is Cumberland Police or Cumberland Fire/Rescue that shows up. The schools are in Cumberland. That means that land is not taxed. We do snow removal on the school campus. North Yarmouth doesn't. He was on the Council when a Town Council Proclamation was voted on against the school budget, because it was so outrageous. North Yarmouth did nothing. He was on the Joint Standing Committee with North Yarmouth for 10 years, and we got nothing accomplished in trying to share services. There is only one funding formula that he supports, and that is per pupil. It's only fair and he is in support of this.

Chairwoman Filson said that she feels that this is a good time to be doing this because we are in the throes of our Comprehensive Plan, where we are looking at a complete overhaul of our zoning. We are going to be at the end of our revaluation, which she realizes the State valuation is different, but we are in a period change, and revisiting things, and trying to understand if they still work and are serving us in the best capacity. The fiduciary responsibility is the bottom line for her. If there are cost savings or a better way to do things, we owe it to our taxpayers to look into that. She is in favor of moving this forward.

Motion by Councilor Michalak, seconded by Councilor Vail, to formally request the MSAD 51 Board of Directors to begin a review of and reconsideration of the cost sharing agreement between Cumberland and North Yarmouth.

VOTE: 6-0 UNANIMOUS

V. NEW BUSINESS

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

Hats off to our Public Works employees who did a great job cleaning up after the snowstorm today.

Councilor Thorsson – thank you to Councilor Michalak who was assisting with snow plowing today and stopped to pick up her neighbor's mailbox that was in the road. He placed it up on the snowbank so they could find it. We have good people and he is one of them.

Councilor Vail – the joint meeting with Falmouth, Freeport, Yarmouth, and North Yarmouth is tomorrow. If any of the other Council members have any questions or ideas that they would like to be discussed, please let him know. They are going to develop a work plan to give to their Town Manager's to take forward and report back to the group.

Councilor Magoun – the Lands and Conservation Commission will meet next Wednesday, March 4th at 7:00 p.m. in our Council Chambers.

Councilor Edes – congratulations to the USA Women's and Men's Olympic Hockey Teams.

Chairwoman Filson – On March 11th from 5:30 to 6:30 p.m. and March 12th from 8:30 to 9:30 a.m. Prince Memorial Library will be hosting a session for people who are interested in learning more about running for public office or serving on a Town committee. Cumberland Town Councilors, North Yarmouth Select Board members, and School Board members will be present.

VI. ADJOURNMENT

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

VOTE: 6-0 UNANIMOUS

TIME: 8:23 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary