

**TOWN OF CUSHING
SELECTMEN MEETING
February 25, 2008
CUSHING COMMUNITY CENTER**

Selectmen Present: Alton Grover, Peter Haviland, Robert Worthing, and Randy Robbins.

Staff Present: Town Clerk Lisa Young, and Treasurer Fred Berg

Board approved Warrant #7, #8, & #9

The meeting was called to order at 6:03 PM. Peter Haviland motioned, Randolph Robbins seconded, to approve the February 11, 2008 meeting minutes as written. The motion passed.

Board Approved 3-0-1

Alton Grover abstained due to not being at the meeting

Changes to the Agenda

Ordinance committee chairman Marilyn Barnum reported that now that the Committee had finished work on the town road ordinances that they were ready to start work on the following: A section of the Coastal Water Management Ordinance that addresses bright lights in the harbor which cause navigational hazards; Ground Water Protection Ordinance which addresses pollution that can get into the towns ground water, and a Commercial Development Ordinance. Selectmen Robert Worthing questioned how much interest came from citizens. He noted that in the past it was brought up that a citizen petition would prove that there was general interest from the town and not interest just from the committee or a select few. Marilyn stated that there was interest. Selectman Randolph Robbins motioned, that the Ordinance Committee start work on the Coastal Water Management Ordinance, Groundwater Protection Ordinance, and Commercial Development Ordinance in that order. There was no second. Selectman Robert Worthing motioned, Alton Grover seconded, that the Committee should research how much interest there is from the general public before proceeding with the ordinances. The motion failed.

Motion Failed 2-2-0

Peter Haviland and Randy Robbins opposed

There was a brief discussion on the importance of getting started on these ordinances and how there are State and Federal regulations that address these issues now but would be more enforceable if the Town had ordinances too. Selectman Robert Worthing motioned, Peter Haviland seconded, to encourage the Ordinance Committee to do some preliminary research on State and Federal laws on groundwater pollution and navigational hazards and come back to the Board of Selectmen with the information. Selectman Randolph Robbins felt that it is a problem having the Committee just do preliminary work. He feels that the Board should allow the Committee to start work and then present it to the Board. Selectman Robert Worthing withdrew his motion and made a new motion to

direct the Ordinance Committee to examine the three areas and proceed to write ordinances which will strengthen any existing State, and Federal laws. The motion was seconded by Randolph Robbins. The motion passed.

Board Approved 4-0-0

James Tower addressed the Board with an offer of \$7,500.00 to purchase the snowplow truck that the Town has been trying to sell for \$10,000.00. Chairman Alton Grover noted that he believed the town legally could not take the offer, but that they could put it out to bid again. He will check with MMA and find out the best way to handle it.

Mr. Tower addressed the Board referring to three letters he had sent the town in which there had been no response. The first letter was addressed to the Planning board in regard to conflict of interest and bias concerning Planning Board Members Evelyn Kalloch and Daniel Remian whom also hold positions as Assessors for the Town. He felt that the two should recuse themselves at Planning Board Meetings. He stated that he would like to see the Board take steps to make a determination and to ask Mr. Remian and Ms. Kalloch to be on one Board or another. He asked for a response from the Board. Selectman Peter Haviland responded stating that they had looked into their Municipal handbook and came to the conclusion that the complaint was off base. After a lengthy discussion, Randolph Robbins motioned, Peter Haviland seconded, to direct Alton Grover to send or read the letter from Attorney Goodall, dated December 5, 2008, to the legal department at Maine Municipal Association and ask for a reply in writing. The motion passed.

**Board Approved
3-0-1 Robert Worthing abstained**

Mr. Tower went on to talk about the two other letters he had sent. One to do with what he perceived as violations of various town ordinances which the Town has not prosecuted, and a letter he sent to Chairman of the Planning Board, Daniel Remian, concerning denial of his Robbins Mountain Subdivision permit application, and how he is requesting the Planning Board to reconsider its denial at their next scheduled meeting or at a special meeting before March 3, 2008. He notes that a meeting before that date will be necessary in order to avoid filing an appeal of the Planning Board's decision with the Maine Superior Court.

Unfinished Business- None noted.

New Business

The Board signed the warrant for the March Town Meeting.

Selectman Randolph Robbins motioned, Alton Grover seconded, to approve the Cushing Recreation Department selling baked goods at the annual Town meeting in March. The motion passed.

Board Approved 4-0-0

The Board approved setting the cut off date of accepting applications for Treasurer to March 3, 2008 and to interview candidates in executive session on March 5, 2008 during a Special Selectmen meeting.

Robert Worthing motioned, Alton Grover seconded, to adjourn at 7:45 PM. The motion passed.

Board Approved 4-0-0

Respectfully submitted,

Lisa Young
Recording Secretary
Town Clerk