

TOWN OF CUSHING
BOARD OF
SELECTMEN

Minutes of Meeting

August 28, 2017
Cushing Community Center

Selectmen Present: Chair Alton Grover, Martha Marchut, Dan Staples, Laurie Haynes, Heidi Alley

Selectmen Absent: none

Staff Present: Kate Hoyt, Deputy Municipal Clerk

Public Present: Claus Metzner, Cushing taxpayer

1. Call to Order: Chair Alton Grover called the meeting to order at 6:00 P.M.

2. Pledge of Allegiance was recited.

3. Approve and Sign the Warrant:

ACTION: Selectman Dan Staples made a motion, seconded by Selectman Laurie Haynes, to approve Warrants 36 and 37.

Motion Carried 5-0-0

4. Approve Minutes of the 08/14/17 Meeting:

ACTION: Alton Grover made a motion, seconded by Selectman Dan Staples, to approve the Minutes of the 08/14/17 meeting with changes.

Discussion: The Selectmen discussed an appropriate level of detail for meeting minutes. It was agreed that, in addition to reflecting any and all actions taken and summarizing presentations made to the Board, notes would reflect where Board members agreed informally to take action on an item.

Motion to approve 8/14/2017 minutes with changes Carried 4-0-1 [Heidi Alley abstained, as she had not been present at that meeting.]

5. Additions and Changes to the Agenda: Louis Orff joined the meeting in progress to present the Selectmen with a bill for having set a mousetrap.

6. Unfinished Business:

6a. Procedures for Donating Fales Field to the Town of Cushing.

ACTION: Selectman Danny Staples made a motion to send Kristi Niedermann's income tax document to Attorney Kristin Collins for her specific comments regarding its completion by Kristi Niedermann, before Selectmen signed the document. Martha Marchut seconded.

Discussion: Kristi Niedermann had brought a tax form to a previous meeting with a request that a representative of the Town sign it to accept the gift. Selectman Alton Grover asked if the form could be emailed to the Town attorney.

Motion Carried 5-0-0

Additional Discussion: There was additional discussion, included as discussion of the previous motion, about how much Kristi Niedermann would have to pay in 2017 property taxes on the parcel she had donated to the Town on April 3. Selectman Alton Grover had followed up on behalf of the Board, as agreed informally at the August 14 meeting. He said he had talked to Garnett Robinson's assistant Becky Adams, who had said that the law states that, if the land was in Ms. Niedermann's possession on April 1, she was responsible for all taxes for 2017. The Selectmen commented that Ms. Niedermann's next step might be to contact the Appeals Board [actually, the Knox County Board of Assessment Review—KH], by reaching out to Marian Robinson, the head of that Board. Comments were made about whether or not this was appropriate without a formal denial of Ms. Niedermann's request to pay only a portion of the 2017 taxes. Discussion of whether or not this would constitute an abatement. Kristi Niedermann said she would talk to Becky or Garnett first.

7. New Business:

7a. Marijuana Growing and Sales Within the Town of Cushing.

ACTION: no formal action taken

Discussion: Cushing resident Claus Metzner addressed the Board. He had read in the paper that, now that marijuana use has been made legal in the state of Maine, towns were beginning to pass local ordinances prohibiting the commercial growing and/or storage of it. He feared that, as Cushing has vacant land and vacant buildings that could be used for commercial growing and storage, the Town might become a target for commercial growers. He wanted to see Cushing develop an ordinance for submission to voters at the Town meeting that would prohibit commercial growing, wholesale or retail storage, and wholesale or retail sale of marijuana within the Town of Cushing. The Selectmen discussed the state of Cushing's Ordinance Board, which currently has very few members. Claus Metzner agreed to be part of the Ordinance Board if asked to serve. Enforcement procedures were discussed, including cease-and-desist orders. Dan Staples agreed to call MMA to discuss options. Martha Marchut said that one question to ask MMA might be what other towns are doing as far as enforcement is concerned. She thought the Selectmen should not shy away from putting an ordinance in place for fear that it could not be properly enforced, and felt that this was abdicating the role of Selectmen to propose ordinances. Dan Staples said he heard two questions that he needed to put to MMA: First, what were other towns doing about enforcement, and, second, how do we place an interim moratorium on marijuana growing and storage. There was general agreement that these were the questions that should be asked.

8. Comments from Citizens: none

9. Adjournment:

ACTION: Selectman Alton Grover made a motion, seconded by Selectman Laurie Haynes, to adjourn at 6:32 p.m.

Motion Carried 5-0-0

Respectfully submitted,

Katherine Hoyt,
Deputy Municipal Clerk