

TOWN OF CUSHING  
BOARD OF SELECTMEN  
Minutes of Meeting  
July 22, 2019  
Cushing Community Center

**Selectmen Present:** Chair Alton Grover; Selectmen Corey Jones, Laurie Haynes, Martha Marchut, and Dan Staples

**Selectmen Absent:** none

**Staff Present:** Town Clerk Lisa Young

**Public Present:** Robert Stackpole, William Smith, David Smith, Randy Martin, Austin Donaghy, William About, Willard Payson, Carole Leporati, Kristi Niederman, David Clemens, George Baker, Meryl Baker, Crooker Representative, Wellman Representative

**1. Call to Order:** Chair Alton Grover called the meeting to order at 6:00 P.M. and a quorum was determined.

**2. Pledge of Allegiance** was recited.

**3. Approve and sign the Warrant:**

**ACTION:** Selectman Dan Staples made a motion, seconded by Selectwoman Laurie Haynes, to approve 2019 Warrants 29 and 30.

**Discussion:** none

**Motion Carried 5-0-0**

**4. Review and approve the minutes of the July 8, 2019 meeting**

**ACTION:** Selectman Dan Staples made a motion to approve the minutes of the July 8, 2019 meeting with the one change. Selectwoman Laurie Haynes seconded.

**Discussion:** Martha Marchut requested change on page 3 under 5D, the word "it" to be changed to he or who was going to be appointed chief.

**Motion Carried 5-0-0**

**5. Additions and Changes to the Agenda:**

**5a. Salt Pond Road culvert and ditching**

**ACTION:** none taken

**Discussion:** Laurie said based on last meeting's minutes, following up on the Salt Pond Road culvert and ditching should have been added to the agenda. She added that Alton was going to get in touch with Ray Sisk and follow up on grant money. Alton said he had not done that and felt that right now that wasn't the priority. Laurie said she understood but it was said that it would be checked into. Alton said he will do that later, because there may be a possibility of money for that but they [emergency management] are awful slow.

## **6. Unfinished Business:**

### **6a. Open bids for Stones Point ditching and paving, Pleasant Point paving, Good Neighbor Park entrance and parking lot, and Clerk's remodel**

**ACTIONS:** Selectman Dan Staples made a motion, seconded by Martha Marchut, to accept Performance Paving's bids for Pleasant Point Road and Stones Point Road paving, totaling \$258,932.00

#### **Motion Carried 5-0-0**

Selectman Dan Staples made a motion, seconded by Laurie Haynes, to accept Donald E. Meklin & Sons Excavation LLC bid to ditch Stones Point Rd for \$3,680.00

#### **Motion Carried 5-0-0**

Selectman Dan Staples made a motion, seconded by Laurie Haynes, to accept bid from Donald E. Meklin & Sons Excavation LLC to put in the Good Neighbor Park entrance and parking lot for \$7,100.00

#### **Motion Carried 5-0-0**

Selectwoman Laurie Haynes made a motion, seconded by Martha Marchut, to get more information (references) from the bidders and make a decision at the next meeting.

#### **Motion Carried 5-0-0**

**Discussion:** Bids were opened and read as follows:

Pleasant Point Road Paving; Crooker Construction - \$89,269.00, Wellman Paving - \$85,100.00, Performance Paving - \$70,680.00

Stones Point Road Paving; Crooker Construction - \$229,225.00, Wellman Paving - \$203,610.95, Performance Paving - \$188,252.00

Stones Point Road Ditching; Dirt Diggers Inc - \$5000.00, Wellman Paving Inc - \$14,175.00 (includes flaggers), Donald Meklin & Sons Excavation LLC - \$3680.00, Ford Enterprises - \$13,775.00 (includes one culvert)

Good Neighbor Park; Donald Meklin & Sons Excavation LLC - \$7100.00, Ford Enterprises - \$16,900.00

Clerk's Remodel; Phi Builders & Architects - \$22,951.00, Dirt Diggers Inc - \$15,800.00. Lisa mentioned asking for references from the bidders, Laurie agreed that was a good idea.

## **6b. Harbor Master to address the Board regarding the barge in Pleasant Point Gut**

**ACTION:** Selectman Alton Grover made a motion, seconded by Dan Staples, to give Randy Martin a month to remove the barge.

**Discussion:** Harbor Master, Austin Donaghy, spoke of Randy Martin moving his barge from its placement in the middle of the harbor to the shoreline on the side of a wharf. He said they had exchanged emails and Randy was waiting for Robert Stackpole to return from vacation to help remove the barge completely. Austin said he emailed again once Robert returned, and again a third time asking for a date the work would start so he didn't need to go back to the State; he said he never got an answer in return so he notified the State that the barge order was not complete. The State sent a letter in return wanting the Town to move forward with removal of the barge. Randy Martin said he never got a letter, and that the law says it has to be abandoned for a year before the Town can do anything, or the State. He said right now Danny Staples and Austin Donaghy should step down from Selectman and Harbor Master as they are nothing but troublemakers. He stated he has had enough of it and he has a lawyer from New York City who says they are all wrong. He said Robert's schedule has been busy, the spring was s-----, and his own [Randy's] schedule has been busy; the barge is tied up next to his dock. He said Austin has a float up in Maple Juice Cove drifting around, a building falling into the harbor, people coming into the harbor wide open, and he doesn't say a word so he can't call himself a Harbor Master. Alton asked if the barge right now is sitting on private property, Randy confirmed it is on his property. Austin said it is not private property by definition in the ordinance. Alton asked why Randy is still being talked to if it's on his own property. Randy said once he and Bob both get five minutes they'll destroy it, but you people just want to be a----- about it and he thinks you [Austin] and Staples should step down. Dan Staples asked what he has done. Randy said he is the one who stirred up all of this. Dan denied. Randy said he has been told he was the one behind it, there wasn't a problem with it sitting where it was in the mud, someone had shot holes in it; he went on to say he went down every day in the winter to change the batteries in it, so he left it until he had a chance to get it pumped out and move it, but no one wanted to work with him. He said his attorney in New York said he could hang you guys [the Town] if you want to keep it up but is just asking for some time to take care of it. Dan said there were several complaints that came in, it was not him that started it. He added the barge went ashore in January a year and a half ago and that when it went ashore he was in Hawaii and had nothing to do with it. Randy said since moving the barge to shore he has received no letters from the State. Austin asked if he had received emails from him, he answered he got one and had until Monday to respond but is just tired of it. He said he [Austin] has shit floating around in Maple Juice and floats over on Gay Island falling apart, why is it any different than Randy's stuff. Alton asked how much more time he needs. Robert said they will have it out of there within a month. Alton asked Austin why isn't that good, Austin said he had asked for exactly that information and never got it. Randy said he used to be proud to be from Cushing, but he isn't anymore, it used to be nice until all the foreigners pulled in and took over. Randy said his name was run down in the paper and he thinks Austin should have to make sure he gets his stuff out of Maple Juice Cove and his floats off from Gay Island too. Alton said that's another deal, lets get this one out of the way first. Randy disagreed feeling it's one sided. Robert Stackpole agreed with Randy; it was all relevant. Randy said in the email they said it was his float drifting and breaking all up, he said it wasn't his float. Laurie asked if there was a better process for complaints rather than screaming at each other in these meetings, for instance if Randy has a complaint against Austin can he put it on paper. Randy asked Austin why he hasn't cracked down on the speeds coming into the harbor adding it has already caused a ramp on a dock to break. Austin said he gives warnings all the time. Randy said warnings are no good, you got to fine them. Austin said he tries not to do that. Randy concluded with he just wants everything to be fair.

**Motion Carried 5-0-0**

## **6c. Review and sign annual Local Road Assistance Program paperwork**

**ACTION:** paperwork was signed by the Board

**Discussion:** Lisa said it needs to be signed for the State to issue monies to the Town for our roads and that it will be \$22,280. She said it will be received in December. Dan asked if it's the same every year. Lisa answered it fluctuates a little. Alton said it went up a little this year, not much but a little.

## **7. New Business:**

### **7a. Mark McGuirl and Carole Leporati to address the Board regarding a septic system on Orne Lane**

**ACTION:** none taken

**Discussion:** Alton said this needs to be tabled because the CEO, Scott Bickford, couldn't attend to answer questions. He added it will be put on the next meeting's agenda and hopefully Scott will be able to attend that one. Carole added she was also in attendance due to the bid on the Good Neighbor Park.

### **7b. Clean up needed at Burying Point Cemetery off Stones Point Rd**

**ACTION:**

**Discussion:** Lisa said Steve Stimpson was in and said the cemetery is in need of clean up and is a mess down there. Lisa added she wasn't familiar with it, but it was in the cemetery book that was made by Chet Knowles. Alton said it can be seen from the water but isn't seen from the road. Dan said first monies would have to be set aside to do that. Lisa said it is a part of the ancient cemeteries. Dan asked if there was enough in there, Lisa said she wasn't sure, would have to look. Dan said the other thing is the cemetery on Settler's Lane which is probably the oldest one in Cushing and has stones laid over and everything. Lisa said she wasn't sure but got the impression this one was more just overgrown, brush and such. Dan mentioned having the prisoners go down and clean it up. Alton added they were just down on the Davis Point cemetery [Pleasant View] and they loamed, seeded, and hayed it. Alton said he could get Guy to go look at it, Dan agreed, if it's just overgrown could get the prisoners to clean it up. Martha asked if the one on Old Settlers Lane should be looked at too. Dan said he's surprised the Historical Society doesn't go down there and do something as there are some real old stones. Alton said it does need some attention, Dan added we need to see what's involved. Alton said they will need to be looked at and come back with a report.

### **7c. Discuss software cost for Payport interface for credit/debit cards**

**ACTION:** Selectwoman Martha Marchut made a motion, seconded by Laurie Haynes, to accept the TRIO Payport Interface for the credit/debit cards.

**Discussion:** Lisa said we got the approval a while ago to start the process of being able to accept debit/credit cards, as many customers have been asking for that. She said there is a cost through our software program that would be \$650.00 one-time set up fee, and a \$150.00 annual cost, totaling \$800 this first year. Laurie asked if there is a cost per swipe. Lisa answered no, with municipalities the percentage charge goes on to the customer, as we are not in business, and we would let customers know the 2-3% or whatever it is would go on to the card owner if that's the payment type they choose to use. Alton said he's been going to places lately and they charge extra if you use a card. Lisa said that's what she was saying, it would be the same here. Dan said there is still an upfront charge to give this convenience to the Town. Martha asked if she [Lisa] felt it was something that would be helpful. Lisa

replied it's something people have been asking about for a long time. Martha asked if it will make the clerk's job substantially easier or harder. Lisa said it's just going to be an additional thing but is something the residents have asked for for a while now. Laurie said she thinks it might be more efficient, instead of having cash in drawer it'll go right to the municipality's account. Corey said it's the way of the world, he thinks you need to do it. Dan asked about the \$650, was it for a machine or something. Lisa answered it was for the interface with Trio, our software. Alton said there must be a machine too. Lisa said there will be, this is just the interface working with Payport. Maine.gov for instance where we do boats and rapid renewal for motor vehicles online, it's the same people we'll be working with. Martha said her only thought is there should be something in writing to explain it to people so they are aware of charges. Lisa said there is, there's announcements they give to put out; adding a lot of people want to pay their taxes with card but need to realize the percentage charge will go on to them not the town. Alton asked if Lisa thinks it'll be more efficient. Lisa said it's just what the people wanted, she doesn't know, she hasn't done it yet but is sure it'll be fine. Corey said he's been in the office on numerous occasions and people are surprised when we don't accept cards. Lisa added we often have to send people to the Post Office to return with a money order, and it's hard when they're not open.

### **Motion Carried 5-0-0**

**8. Comments from Citizens:** Robert Stackpole commented on Laurie's comment about frustrations from citizens and a better avenue for complaints and all that, the reason this is the proper venue is because it definitely should be brought to everyone's attention and on the record and in the minutes what everyone said. He added that has a record, it can't be swept under the table or get to it later, if someone has something to say, say it to their face, not behind their back, no one can stick it in a drawer because they don't want to deal with that person, so from his stand point he feels this is the proper place for such things. Laurie said she appreciates his opinion and understands what he's saying but says her point was that Austin didn't come to a meeting and blast Randy, there was paperwork that took place and lots of emails and research, and she thought that Austin should be offered the same benefit. Robert said sometimes people get a little excited, he understands that, but email doesn't cut it, if it wasn't received by a registered letter, it wasn't received. Saying I sent you an email doesn't mean anyone ever read it. He said Randy did get a little upset, he understood, he's been a little upset before himself, but this is the place, he doesn't know what other venue she can think of but if she can give him a better one he'd be more than willing to listen. He continued that a public Selectman's meeting would be the place in his thoughts. Laurie said she can think of a better process; the reason she brought it up is because she thought there was a better process somewhere, such as writing a formal complaint to the Selectman to read over and follow up. She added Randy wasn't blasted in public. Randy added the same thing is happening in Bristol, once you touch that boat it isn't abandoned, it hasn't been abandoned for over a year. He said there is a dragger on the shore another place too, been there for five years and the Town can't do a thing about it because the guy [owner] comes down and touches it. Laurie said she is not agreeing or disagreeing with him [Randy]. Randy said he just wants to be treated fair, it's no different than all the other shit that's going on down there, but someone keeps stirring the pot. Willard Payson asked why the cemetery committee isn't notified about these things before it comes to the Select Board. He also mentioned someone used to take care of all the cemeteries, why isn't that person or the Cemetery Board be responsible for doing these clean ups. Alton said yes, that's Guy, he's the one that does the work and works with that committee. Corey agreed with Willard that if there is a Cemetery Board why is the Select Board doing it, shouldn't the Cemetery Board take care of it. Lisa said that was her mistake, Steve Stimpson asked for it to be on the agenda and the Selectman make the decisions on the monies part of it. She added Bob and Karen Weisert are the committee, this was just a starting point. Willard asked from the Weisert's standpoint, will they feel the Board is going around them. Dan clarified no one is going around anyone, this came from a private citizen and this is the first time they're hearing about it too. Carole Leporati asked if this is the proper public forum for their issue with the septic on Orne Lane, she added they are on the agenda and will be again two weeks from now, but wonders if the Board feels this is the proper forum for that. She added they have been trying to work through this with Scott. Alton said the Selectman aren't enforcers, Scott is, and said they should stand behind Scott.

Carole asked if he [Scott] should just be there to answer questions, adding they've already talked to him. Alton asked then what it was she wanted. Carole answered she is very happy to bring it to the public, but really all she wants is what Randy does, fair treatment. Alton said he's sure she will, but Scott can't go over State rules. Robert asked what this discussion was about. Carole said there is a septic plan that was approved by neighbors and right after it was the owner decided he wants to rent his property so he wants to have 270 gallons flow per day instead of the original flow which was 180 gallons, which impacts a lot of peoples properties and concerns the neighbors. Robert agreed that was not a Selectman Issue, that was a Code Enforcement issue and Scott can not allow any expansion without a soil scientist designing and approving the larger amount. He said the resident cannot just decide to make it bigger and install it bigger as that's against the law. Robert said the soil man makes that determination. Carole said in this instance there are other issues and complications, it is the neighbors business and is a little bit different of a situation and doesn't know if it should be in a public forum or something that should be continued trying to work through with Scott. She added they have been in touch with the State. Bill About added he has spent a lot of time with Scott going over this trying to get some answers. He added Scott showed him the regulations and that everything has been done according to the book and if they are still unhappy then they need to go to the State. Scott is at the limit of his authority; he has done what was in the book. Carole said she didn't put this on the agenda, she was there for the park bids and didn't see the agenda before coming tonight. She said that's why she's asking, wondering if this is the proper forum for this discussion. Alton said Mark McGuirl had asked for it to be on the agenda and he was surprised he wasn't there. Alton said Carole can discuss it herself with Scott or it can be done at the next meeting. Carole said she would discuss with Mark and other people involved, and they will look into it. Randy asked why they were putting money for a parking lot [at Good Neighbor Park] when all the clambers park on the side of the road. Alton answered because that's what was voted on. Randy said he didn't think it was going to cost the Town any money. Carole answered it's not, they had raised the money; it was donated.

## 9. Adjourn

**ACTION:** Selectman Alton Grover made a motion, seconded by Dan Staples, to adjourn at 6:59 p.m.

### **Motion Carried 5-0-0**

Respectfully submitted,

Samantha Jones  
Recording Secretary