

TOWN OF CUSHING  
SELECTMEN  
Minutes of Meeting  
September 12, 2016  
Cushing Community Center

**Selectmen Present:** Chairman Alton Grover, Laurie Haynes, Martha Marchut, Daniel Staples and Heidi Alley

**Selectmen Absent:** None

**Staff Present:** Lisa Young

**1. Call to Order:** Chairman Alton Grover called the meeting to order at 6:02 P.M. and the Pledge of Allegiance was recited.

**2. Approve and Sign the Warrants:**

**ACTION:** Selectman Daniel Staples made a motion, seconded by Selectman Laurie Haynes, to approve Warrants #33 and #34.  
Carried 5-0-0

**3. Approve Minutes of 8/22/16:**

**ACTION:** Selectman Martha Marchut made a motion, seconded by Selectman Laurie Haynes, to approve the minutes of the 8/22/16 meeting as written.  
Carried 5-0-0

**4. Additions or Changes to the Agenda:**

Selectman Daniel Staples announced that he talked with a couple of the officers from the Sheriffs Department who have been parked at the Town Garage looking for speeders and asked them if they would sit in the Broad Cove Store parking lot to look for drivers violating the yield sign at the Cross Road and Pleasant Point Road intersection. They said they would. Chair Grover said he has talked with Paul from the DOT and he said they will be putting up two new yield signs on each side of the road at the bottom of the hill.

**5. Unfinished Business:**

**A. Revisit newly discovered lot on Map 15:** Chairman Alton Grover read a letter from Attorney Mark Coursey, representing Donald Saastamoinen, giving his opinion as to the validity of the town giving a quitclaim deed releasing any lien on the "discovered " property. At the last meeting the Board asked Donald to contact his lawyer to find out if legally the town can exempt a portion of property from a lien and the town would verify it with their lawyer.

Attorney Coursey stated in his letter that it is his opinion that after the transfer of the new parcel from Mr. Young to Donald Saastamoinen, the Town could give a release deed to Donald whereby any taxes owed by Mr. Young would not be attached to the new parcel. Such a deed would recite that the Town was relinquishing any and all claims for each undischarged lien as well as taxes for the currently past due and the current year referencing the new parcel only. Donald would then pay the taxes on the new parcel going forward.

Chairman of the Assessors, Daniel Remian, stated that if Donald's lawyer is willing to come up with a deed for the piece of property that the town could prorate the taxes, which will be minimal because it is swamp land, and take out that amount that is already owed; which is about \$15.00. Chair Remian inquired if Donald thought his attorney would be willing to write up a deed. Donald stated he was not sure, he said that his attorney spoke as if it was up to the sellers attorney, and he is not sure if Mr. Young would proceed, although he would be more than willing to pay to have it done.

The Board decided to contact MMA to get their opinion on having the Town give a quitclaim deed releasing any lien on the "discovered property".

**B. Transfer Station:** Selectman Martha Marchut reported that Bob Butler is available to come to the October 10th Selectmen's Meeting to answer any questions the Board may have in regard to Pay as you Throw. She was thinking that it would be a good idea to get the word out that he is coming so the public would have the chance to come and ask any questions they may have. She also noted that there was talk on having a non-binding vote but she is not sure the Board would want to do it, or how it would be done, and if Bob is planning on coming on the 10th that may be more useful.

Selectman Marchut reported that at the next Transfer Station Meeting Bob Butler will be going through his presentation on Pay As You Throw again. This is scheduled for October 13th at 6:00PM. He also will be doing presentations at various places in Waldoboro, and she assumes anyone can come. She will let everyone know the dates. She also noted that the Waldoboro Select Board meets the second and fourth Tuesday of the month in case anyone wanted to go to ask questions in regard to the Pay As You Throw.

The Board decided to have Bob Butler come on the 10th but not to do a non-binding vote. Since Bob Butler is a proponent of Pay As You Throw Selectman Heidi Alley thought that it would be a good idea to have someone who is an opponent of it come so people could hear both sides. Selectman Martha Marchut thought that maybe Wayne Luce, Selectman of Waldoboro and the Hauler Representative for the Transfer Station Committee, may come. She said he necessarily isn't against it, but he has a different insight. He lives in Warren and they have a pay per bag program.

Selectman Daniel Staples noted that all the information that has been received is pro Pay As You Throw. He stressed that he is not convinced that we will save sixty thousand dollars in three years. He noted that it is all projected budgets; there is nothing they can prove. He noted that putting in the scales was supposed to save money but he has not seen where it has. He stressed that we are not hearing both sides. Selectman Marchut said she will try to get someone to come. Chairman of the Assessors Dan Remian stressed that those questions should be brought up and answered. Selectman Staples agrees but feels the questions should be presented to the Select Board of Waldoboro.

Selectman Marchut reported that in the report that Monika Magee passed out at the last meeting, showing how much the Town's share would go down, assuming John Daigle is right with those numbers, they go down regardless whether people recycle more or not because those who do not recycle will be paying more for bags. It is paying for the bags that cover the other costs of the transfer station, so either way the numbers go down.

Selectman Laurie Haynes noted that we are charged a fee to use the recycling center in Lincoln County and inquired if we would have to pay for it if we sent our recyclables to Fiberright. Selectman Marchut said even if we sent our recyclables to Fiberright, and paid a fee to them, we would still have to pay a fee to Lincoln County because our transfer station is in Lincoln County. She noted that fee is in the budget.

## **6. New Business:**

**A. Sign Warrant and Notice of Election for Region 8 Mid-Coast School of Technology Referendum:** The Board signed the Warrant and Notice of Election.

**B. Building Permits:** Selectman Daniel Staples contacted MMA to make sure the Town of Cushing Building Notice Ordinance would allow fees to be issued for anyone who did not file a notice of intent to build. He found out that the wording stating a fine would be determined by the selectmen is not legal. It must reference T30A M.R.S.A. § Section 4452, so we need to amend this ordinance. Also, there needs to be a date the permit expires on the permit.

**ACTION:** Selectman Daniel Staples made a motion, seconded by Selectman Martha Marchut, to amend the Town of Cushing Building Notice Ordinance and to put it on the ballot for the November 8, 2016 Election. Carried 5-0-0

**ACTION:** Selectman Daniel Staples made a motion, seconded by Chairman Alton Grover, to hold a public hearing on October 10, 2016 preceding the Selectmen's Meeting at 6:00 PM to hear public comment on the

proposed amendments to the Town of Cushing Building Notice Ordinance.  
Carried 5-0-0

**C. Knox County ACO update:** Deputy Tim Carroll from the Knox County Sheriffs office announced that the Sheriffs Department is looking into providing ACO services for the towns' in Knox County. He noted that it can be hard for a person to be a ACO in their own town, and they feel that they can provide this service for what the towns' have been budgeting for the ACO position. They are hoping to start with two part time officers. He noted that Lincoln County has been offering this service and it has been working out quite well.

Chairman Alton Grover inquired if there would ever be extra costs to the towns. Deputy Carroll said there would not be any additional costs at this time, but he would not dare to say there never would an increase.

Selectman Daniel Staples inquired if the fine money would go to the County. Deputy Carroll said that any fine money would go to the town which would offset the cost of the ACO. Deputy Carroll also said they would also like to try and negotiate with the town's animal care facility.

Deputy Carroll asked for any ACO reports the Town might have. Town Clerk, Lisa Young, will send him what she has on file. Chairman Grover inquired if the Town decides to contract with the Sheriffs Department would we receive a monthly report from the Sheriffs Department and Deputy Carroll said they would. He is hoping once he gathers the information that they can get a contract written up for the towns' to look over and approve.

**8. Comments from Citizens:** No Comments

**9. Enter into executive session pursuant to 1 M.R.S.A. § 405(6)(E) consultation with legal counsel and pursuant to 1 M.R.S.A. § 405(6)(A) Personnel Matters:**

**ACTION:** Chairman Alton Grover made a motion, seconded by Selectman Daniel Staples, to enter into executive session pursuant to 1 M.R.S.A. § 405(6)(E) consultation with legal counsel and pursuant to 1 M.R.S.A. § 405(6)(A) Personnel Matters at 7:40PM  
Carried 5-0-0

**ACTION:** Selectman Martha Marchut made a motion, seconded by Selectman Daniel Staples, to enter back to the regular meeting at 7:45 PM  
Carried 5-0-0

10. Adjournment:

**ACTION:** Selectman Daniel Staples made a motion, seconded by Selectman Laurie Haynes, to adjourn at 7:48 PM.  
Carried 5-0-0

Respectfully submitted by Lisa M. Young, Town Clerk