

TOWN OF CUSHING  
BOARD OF  
SELECTMEN

Minutes of Meeting

September 11, 2017  
Cushing Community Center

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

**Selectmen Absent:** none

**Staff Present:** Lisa Young, Municipal Clerk

**Public Present:** Carole Leporati, t.r.jackson, and Kristi Niedermann, Cushing taxpayers

**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 38 and 39.

**Motion Carried 5-0-0**

**4. Approve Minutes of the 08/28/17 Meeting:**

**ACTION:** Martha Marchut made a motion, seconded by Selectman Laurie Haynes, to approve the Minutes of the 08/28/17 meeting.

**Discussion:** none

**Motion Carried 5-0-0**

**5. Additions and Changes to the Agenda:** none

**6. Unfinished Business:**

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

**ACTION:** No formal action taken. Informally, Selectmen agreed to pursue efforts to prorate 2017 taxes for the parcel of land that was donated to the Town, according to the number of days Kristi Niedermann owned the land and the number of days that it belonged to the Town. Dan Staples agreed to follow up with MMA to see what was possible.

**Discussion:** Dan Staples addressed those present regarding an error in the discussion at the previous meeting. He said he had realized after the meeting that Kristi Niedermann's request to pay a prorated portion of 2017 taxes, rather than the entire tax amount for the year, had had nothing to do with the Board of Assessment Review—that the issue was not an assessment issue, but rather a tax issue. The Board discussed how they might go about forgiving the taxes on the Good Neighbor Park starting on the day it became Town property. Specifically, the question was raised by Laurie Haynes whether an attorney would need to draw up a document after the fact, and whether the cost of this attorney would exceed the tax money

Kristi would save. Martha Marchut suggested that, as a good will gesture, the Town might absorb the cost of producing the document. Carole Leporati, who was in the audience, suggested that Kristi's attorney might offer to draw up the document gratis, since it had been overlooked at the closing. There was discussion of the oversight.

#### **6b. Good Neighbor Park Committee.**

**ACTION:** no formal action taken

**Discussion:** Kristi Niedermann addressed the Board regarding the Good Neighbor Park Committee. She said the Committee needs a liaison with the Town. The Committee consists of Kristi, Doug Hartley, and Crystal Robinson. Melvin Williams mowed the field and took the hay, according to an agreement with Alton Grover. Williams had not charged because it was for the town. Kristi said the park committee wants to put in a parking lot before winter. Carole said they'd received pledges of around \$30K in donated funds. Committee plans to meet 3-4 times a year, though this year, with the parking lot, there will be more meetings. They discussed putting in two parking lots, a large one and a small one, as well as a picnic area by the water. Alton had gone over the ground with Doug Hartley. They had considered where to put a port-a-potty. Alton reminded Kristi that they would need a DOT entrance permit, and said that CEO Scott Bickford could help with DEP regulations. Kristi agreed to start with DOT to find out where the parking lot(s) can be placed. They are thinking the lot will be 6-8 cars wide, that cars would pull in, so the lots would not be very deep. Danny asked if they'd advertise their meetings on, for example, the Cushing email list. Kristi agreed to publicize the meetings, and said that the committee would have its meetings at the Town office. They'd advertise a week in advance. Heidi suggested they ask a landscape architect to consult with them for free, to establish their vision. Laurie Haynes reminded Kristi Niedermann and the Selectmen that the Good Neighbor Park committee needs to consult with the Board of Selectmen regarding any changes made or money spent.

#### **6c. Transfer Station Committee Update**

**ACTION:** none taken. Informally, Town Clerk Lisa Young agreed to email a document to Board members.

**Discussion:** Martha Marchut reported that the Committee had begun doing two things (1) drafting a new version of the ordinance, and (b) developing the shared services agreement between the three towns (Cushing, Friendship, and Waldoboro). She has a draft of the two, and said she would send to Lisa via email for folks to read and bring suggestions to the meeting if they wish. Martha pointed out that there had been a lengthy discussion of the pros and cons of a 4-member board. She suggested the Board read the description of this and of what happens if/when there's a tie vote: Basically, in this case, the Waldoboro Town Manager will convene a meeting of the three Select Boards, and the Boards will vote to break the tie. Fiberight has stated that they are still on target to open on April 1 of 2018.

#### **6d. Moratorium Follow-up (Marijuana legislation)**

**ACTION:** Informal: Lisa Young agreed to consult Town Attorney Kristin Collins regarding the wording and procedure of placing a moratorium on commercial growing and storage of marijuana in Cushing, in advance of putting the question before voters at the 2018 town meeting.

**Discussion:** Dan Staples followed up with the Board on his conversation with MMA regarding marijuana legislation in municipalities. Town Clerk Lisa Young told the Board that, on Oct. 4-5, MMA would be sponsoring a workshop on the recently-passed legislation and its effect on municipalities, if anyone was interested in attending. Laurie Haynes asked about developing wording before Town meeting. Upshot: Selectmen will draft language to place a moratorium on commercial growing and storage of marijuana, to present to the townspeople at a special Town Meeting. Martha Marchut asked if the Board ought to have the Town attorney review the language of the moratorium. The Ordinance Committee was mentioned, because it currently lacks members, but Martha pointed out that the moratorium does not require the involvement of the Ordinance Committee.

### **7. New Business:**

#### **7a. Request to Use the Community Center**

**ACTION:** Dan Staples motioned, and Martha Marchut seconded, to allow Meduncook Plantation Homeowners Association to use the Cushing Community Center for their annual meeting. They had supplied proof of insurance.

**Motion Carried 5-0-0**

**Discussion:** minimal

**7b. Town Buildings: Shed**

**ACTION:** Informal. Alton agreed to call around and find a structural engineer and consult Dan Remian and others, to find one.

**Discussion:** The Board had received a letter from MMA insurance representative. During a survey of the sand/salt building, the insurance inspector had "noticed substantial rusting around the perimeter, where the walls meet the foundation. Since the ribbed metal is the exterior sheathing in the structural components, the rusting presents a significant hazard." Recommendation: "Have a structural engineer review the building and develop a plan to fix these weak points. Please provide us with a copy of the report, when completed."

**7c. New Body for Cushing Truck**

**ACTION:** Heidi Alley motioned and Martha Marchut seconded, to authorize Alton Grover to spend up to \$2,000.00 to purchase a replacement bed for one of Cushing's trucks.

**Discussion:** Alton located and was able to bid on a truck from Rockland to replace one of Cushing's whose bed is rusted out. The Board discussed price and feasibility of purchasing the replacement for Cushing's 10-year-old truck.

**Motion Carried 4-0-1** [Alton Grover abstained.]

**8. Comments from Citizens:** none

**---Executive Session---**

The Select Board entered into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A), a personnel matter, at 7:05. A motion was made by Selectman Alton Grover and seconded by Heidi Alley, to go into Executive Session.

Heidi Alley motioned, and Dan Staples seconded, to enter back into the main meeting at 7:25 p.m.

**---The Selectmen rejoined the main meeting at 7:25 p.m.---**

**No formal action was taken as a result of the Executive Session.**

**9. Adjournment:**

**ACTION:** Selectman Heidi Alley made a motion, seconded by Selectman Dan Staples, to adjourn at 7:25 p.m.

**Motion Carried 5-0-0**

Respectfully submitted,

Katherine Hoyt,  
Deputy Municipal Clerk