

TOWN OF CUSHING  
BOARD OF  
SELECTMEN

Minutes of Meeting

January 22, 2018  
Cushing Community Center

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

**Selectmen Absent:** Selectman Danny Staples

**Staff Present:** Cushing Town Clerk Lisa Young

**Public Present:** Cushing taxpayers David Farmer, Crystal Robinson, Kristi Niedermann, and Shirley Stenberg

**0. Open Discussion** none

**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 Laurie Haynes made a motion, seconded by Selectman Heidi Alley, to approve 2018 Warrants 3 and 4.

**Discussion:** none

**Motion Carried 4-0-0**

**4. Approve Minutes of the 1/08/18 Meeting:**

**ACTION:** Selectman Martha Marchut made a motion, seconded by Selectman Heidi Alley, to approve the Minutes of the 1/08/18 meeting.

**Discussion:** none

**Motion Carried 4-0-0**

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

**5a. Waldoboro Transfer Station Shared Services Agreement, Final Version, and New Ordinance**

**ACTION:** None taken.

**Discussion:** Martha Marchut reported that there was a final version of the Transfer Station Agreement among Friendship, Cushing, and Waldoboro, and that Selectmen from the three towns would be asked to review it. Once that's done, the Transfer Station Committee will have a meeting, and all three Select Boards will be invited. They will also invite Greg Louder, of MRC, as well as Craig Stewart-Paul, the head of Fiberight, possibly as soon as Feb. 8. Martha said she would let the Selectmen know as the date gets closer. Laurie Haynes asked if the three communities would have an opportunity to review the finished draft before the meeting. Martha said once she gets it from Bob Butler she will put it out on the Cushing email.

## 5b. Rescue Squad Monies

**ACTION:** Select Board Chair Alton Grover made a motion, which Selectman Laurie Haynes seconded, to transfer \$1,650.96 from the ambulance maintenance fund to the Cushing Rescue Squad fund for 2017.

**Discussion:** Lisa Young told the Selectmen that, a large bill had come in from Rockland for assistance of EMS/paramedics. The Cushing Rescue Squad had just put a paramedic on its staff, and the Selectmen hoped that this person could fill in in Cushing and save the Town money. Treasurer Lisa Young asked if the Selectmen would approve moving money from the account for maintenance of the ambulance to cover this bill to Rockland. Selectmen agreed.

**Motion Carried 4-0-0**

## 6. Unfinished Business:

### 6a. Update on Foreclosures

**ACTION:** none taken.

**Discussion:** Cushing recently foreclosed on a property on River Road on which it turns out Bank of America also had a mortgage lien. Cushing Treasurer Lisa Young had been trying to contact BOA, with no success: She was routed through their phone system and, on the few occasions when she reached a person, the representative refused to speak with her, as she was not the mortgage holder and did not have a BOA loan number. The Town was looking for ways forward. Selectman Heidi Alley had told Lisa of a personal connection she had at BOA and offered to put Lisa in touch with that person. Heidi reminded Selectmen that the Town's tax lien trumps the bank's mortgage, when it comes to foreclosures: Because the property is physically located in the Town, the bank would have to pay all costs associated with the lien, if they wanted to foreclose on the property. Select Board Chair Alton Grover clarified that, if the bank were willing to pay these costs, it could own the property, that this had happened before. Selectman Martha Marchut asked if there were a timeline for communication with the bank after the Town had foreclosed. Heidi Alley said that anyone could pay a house out of a foreclosure lien. Lisa Young added that the Town had given the homeowner the proper notice according to the timeline provided by Maine law. Lisa added that the problem was that, originally, the mortgage had been a Fleet Bank mortgage that BOA had taken over when it bought Fleet Bank. Courthouse records did not therefore name BOA.

## 7. New Business:

### 7a. Sandra Blanchard Retiring from Cleaning the Town Office

**ACTION:** [Informal] Selectman Heidi Alley agreed to draft an announcement of the available position, and the Selectmen agreed to post the announcement on Cushing Post, the Cushing email list, inviting local residents to apply for the job.

**Discussion:** Select Board Chair Alton Grover informed the Selectmen that Sandy Blanchard had submitted a letter of resignation to the Board, effective immediately, saying she would no longer be able to provide janitorial services to the Town Office, due to family health issues and obligations. There was discussion among Board members of who might be willing to take over those duties; what the job entailed (2-3 hours/week, as many as 3 when the gym was used for meetings and during elections); and how much it paid.

### 7b. Review Ballot Questions for the March 19, 2018, Election and Schedule a Public Hearing to Hear Public Comment on the Questions

**ACTION [1]:** [Informal] Town Clerk Lisa Young took the exact wording the Selectmen agreed on for the ballot question pertaining to Good Neighbor Park and generated a form for the Selectmen to sign.

**ACTION [2]:** Select Board Chair Alton Grover made a motion, which Heidi Alley seconded, to make this the final wording of the ballot question: “Shall the Town of Cushing approve the transfer of \$10,000.00 from the Cushing Recycling Committee account—money which was raised by the committee and not from property taxes—and transfer it to the Good Neighbor Park fund for maintenance of this park?”

**Discussion:** Select Board Chair Alton Grover invited discussion of the second ballot question, submitted by the Cushing Recycling Committee, which was in favor of donating a portion of its funds remaining after the purchase of composting bins, to the maintenance of Good Neighbor Park. The Recycling Committee had originally requested that \$20,000.00 of its funds be transferred. Selectman Laurie Haynes pointed out that some of the money in the Recycling Committee account had come from a grant from the state. She asked about the legality of transferring funds raised for one purpose to a separate, unrelated purpose. David Farmer, representing the Recycling Committee, pointed out that the \$20,000.00 was money that had nothing to do with the grant from the state, but had been raised through investments and donations. Heidi Alley commented that the balance of the grant was \$131.82 and that, since the Recycling Committee had \$1,500.00 in its account, the grant was covered. Alton Grover stated that, currently, the Good Neighbor Park account had \$15,300.00 or so in it. He asked, How?

Kristi Niedermann: That’s not theirs. He’s not in the Good Neighbor Park.

AG: What do you mean, it’s not theirs?

LMY: Let him explain.

AG: If we’ve got \$15,333.00 in there now, why do we need [\$20,000 more; i.e.] \$35,000.00 in that account?

KN: We’ll probably be spending \$15,000 this next year, with the parking lot, and compost toilet—

AG: But the estimate for the parking lot was \$7,000 something.

KN: Yeah, but you said \$9,000 wasn’t enough to set it out to bid, so we presumed that at least 10—

AG: With the culvert, it’s probably going to run 10.

KN: Okay.

AG: So that’s still a long way from 35—

KN: Right. So then we have a composting toilet that we’re still thinking about, or benches that we have to get, signage that we need.

AG It still seems like a lot of money. And then the good job that the Recycling Committee did goes to another article. You’re going to deplete the—Why are we doing that?

DF: The Recycling Committee doesn’t need that money.

AG: Why not? You’re buying recycling bins now.

DF: We are. And we have the state grant [for that]. And enough money to buy them. This is money that we have earned and essentially the Recycling Committee will continue to—

AG: Do you think it’s a good idea to deplete the account?

DF: We do. We raised the money ourselves, and we don’t need—

AG: So you’re claiming the money. That money belongs to the Town.

DF: Well, maybe it does.

AG: Not “maybe”; it does.

Key: AG=Alton Grover; LMY=Lisa Young;  
KN=Kristi Niedermann; DF=David Farmer;  
HA=Heidi Alley; MM=Martha Marchut;  
LH=Laurie Haynes; CDR=Crystal Robinson;  
SS=Shirley Stenberg

DF: This is an issue of contention, I know. However, the money has been earned by the Committee. It's not Town money.

AG: That's where you're wrong.

DF: It's not money the Town *gave* the Recycling Committee—

LH: You mean it's not money that was given to that committee by taxes.

HA: Monika spelled out that it was \$4,200.00 that you guys invested.

DF: Yes.

HA: Okay. The *Town* donated-slash-whatever-fundraising-thing—that got you—that \$4,200.00 was the seed money for the investment.

DF: Correct.

HA: So if you hadn't had that, you wouldn't have earned any money. The fact that you got into a good fund is excellent, but at the same time, as the Cushing Selectmen, we can say 'We're going to take this chunk of money out of the budget, and we're going to invest it, and then we're going to do whatever we want with whatever we earn, because that's not taxpayer money. That doesn't make any sense. Because it was taxpayer money that started it, so any proceeds from that continue to be taxpayer money.'

[5-sec. pause]

MM: The Town doesn't do the kind of investing that you did, and we could certainly discuss that, but any money that *we* generate, by putting funds into accounts that earn very little, obviously, is still taxpayer money. It's not suddenly money that we have the right to use in any way we want. I think the fact that you folks earned a substantial *amount* of money is maybe causing you to look at it differently than perhaps it should be looked at.

[4-sec pause]

LH: I'm probably on the opposite side of the fence, but I think what they're saying is, "Here you go, taxpayers: Do you mind if we take that money and put it over here?"—and taxpayers can say "No. We don't want to do that." But they're not doing what they want; they're suggesting to the community that "This is what we want to do for the Good Neighbor Park that you all wanted." That said, I have to say that, at the outset, my understanding was that Good Neighbor Park was going to be 100% community-funded, and would not come to us with things like this.

KN: We [i.e., the Good Neighbor Park Committee] did not ask for this. I had no idea that it was coming down. Right? They came up with this on their own, in a separate committee. When I came and I heard about—I came to the meeting and I heard about it here. I had no prior knowledge about it at all. Did you? [to Crystal Robinson]

CDR: No.

KN: So they say: "Oh: Would you like this money?" I had no idea that it was coming. Okay?

HA: And—and I'm not saying that we can't put this on the Warrant, at all. I'm just taking umbrage at that phrase that I guess Monika and the others want to add back in, that: "This money was raised by investment." It isn't your money. That's the implication that I'm having an issue with. I have no problem with saying "Cushing Recycling Committee would like to take \$20,000 from their account and donate it to the Good [Neighbor] Park."

MM: The fact that it was earned through investments is irrelevant. [Laurie and Kristi agree.]

DF: Well, it may *seem* irrelevant, but we want to make sure that people don't think that this is money that comes in from property taxes.

MM: But, see, the problem in my mind is that, if a need arises, and that money—let's say [is needed for] the Recycling Committee. We really don't know what the future may hold. Because the State's emphasis on recycling is more and more powerful all the time; the recycling rate is going up all the time—so if a point comes where we discover that we really should have kept some money in the Recycling Committee that we didn't, then it does become a taxpayer issue. Right now, it may not be, but it could be, down the road. So, I just think it's cleaner to not even bring up the fact that it was invested. Because it is irrelevant.

[...] [The Selectman engaged in further discussion of specific wording along these same lines. The Recycling Committee representatives stated a wish that the Warrant item reflect that the money they wanted to transfer had not come from property taxes, that it had come from Monika Magee's hard work.]

DF: The RC has been working for years to create an atmosphere for recycling, really it was Monika, quite honestly the only thing for the RC to do is continue to do public relations for recycling and to be able to provide composting bins. So that's why we really don't need that 20K.

HA: I have two composting barrels at my house that I had to pay \$100 apiece for. Why couldn't these be free to Cushing citizens, for instance?

[...] [Additional discussion of recycling needs of citizens, with responses from the Recycling Committee about how much composting bins cost.]

MM: As I am on the Transfer Station Committee, I can say that we really don't know what the future holds.

SS pointed out that other Maine towns had gone to single-stream payers

MM: There could one day be a dropoff station in Cushing, one day. There could be a cost involved in that. I'm in agreement that I'm happy to have this on the Warrant. I don't think we need to get into the fact that the Recycling Committee "earned" this money.

AG: Please go one at a time. Why can't we take \$10K and put it [toward Good Neighbor Park maintenance], and leave the rest in the RC account?

SS: Looking at 2015 Report. If that's the case it needs to go into the Town Report. People need to know that there would be \$10,000.

AG, HA: Of course.

DF: You have to make this decision. [i.e., make it clear to the townspeople that the Selectmen are responsible for the 10-10 split, that it was not the Recycling Committee's suggestion].

AG: What do you think about 10K?

DF: We don't get money from you; what we do, is, we have gotten grants. We don't get money from the Town.

AG: That's not what I said. I said leave \$10 there, give \$10 to the field, and everybody's happy.

LH: Question: Where did the original \$4,200 come from? Was that donations?

LMY, DF: Donations, fundraising, dances—

DF: Even the \$4,200 is not Town money—

LH: People gave it to you—[clarification of what is meant by "Town money", donations from the community or given by Town]

AG: Where did the grant money go?

DF: That went to buy bins. And that money is going to continue to be used for recycling bins.

KN: As far as I know, when I talked to Monika and Carole [Leporati, Recycling Committee Treasurer], the money was not through donations but from talks, dances, and stuff like that. It was not saying “Can you give us money”? [More wording suggestions from the group] Yes, it belongs to the Town of Cushing. I agree. But that it’s not raised from coming to the Town and saying ‘please give us money’. If you’re uncomfortable with the word ‘investment’, take it out.

HA: I’m uncomfortable with most of it, but I would concede to put ‘not from property taxes’—however, originally, the donation part is what seeded the investment account. So, that I still have an issue with.

KN: So, if I give a lecture, and people want to donate to that lecture, that’s considered a regular donation?

HA: Yeah.

KN: Okay. Well, then, put it in. Put ‘donate’.

HA: I—personally—if you want to put it in, and you want some part of that in there, [...] [wording read back] I would not have a problem with that because it is not coming out of the tax accounts.

[Discussion of direct versus in-kind donations]

DF: [reading from minutes of previous meeting, or from some RC blurb] We did not need the \$4,200.00, which was used to buy bins. We are asking to transfer 20K. The Park people are here to answer questions about how much money they need.

LH: Do you have grants coming in every year toward the Recycling Committee?

DF: No.

LH: So, once you take \$20,000, how much is left?

DF: \$1,500.

LH: And [the Recycling Committee] won’t have any additional funds coming?

DF: No.

HA: [Reading from a document] The \$1,500 will be adequate for several years of recycling events.

[Discussion of how long DF and Monika have been on the committee, respectively.]

MM: I will say again, I think the future is somewhat unpredictable. And, in addition—in terms of funds that may be needed—in addition to that, enthusiasm for committees waxes and wanes. Monika’s been at this for a long, long time. I could easily imagine that we could have some turnover on that committee, and we might not have people who have the energy and motivation to generate the funds through events or whatever—that you folks have done. You’ve done an amazing job. I worry about leaving us with so little money that if something unexpected happens, we’re not prepared for it. I think you might have a better chance of having this pass, if you don’t ask for quite so much money. I could be mistaken about that, but I think that might actually work in your favor.

AG: If you explained to the voters, that 10 and 10 could keep both things active—

MM: And I assume that when the hearing comes up, this would come up at the public hearing.

KN: Was the 10/10 ever brought up to the Recycling Committee?

HA: No. I don’t think it was.

KN: It's too bad that you do it on the last day it can be done.

[LMY confirmed that this was the last day the Selectmen could approve.]

AG and HA said they personally did not want to deplete the Recycling Committee.

MM said the Good Neighbor Park could make another request next year of the Recycling Committee.

AG: Don't you think that's a good idea?

SS: I don't think that's a bad idea.

AG: I suggest that we go with the 10 and 10.

[Additional general discussion of recycling, the Committee, specifics of the investment, all of which have been covered in previous Selectmen meeting minutes.]

HA: The state is putting more mandates on recycling. More folks are moving in who need bins.

DF: I have always believed in recycling. In all the years I've been paying attention, there've been no other reasons to spend any of that money. We've spent very little. But it's up to you.

MM: There may be opportunities. Maybe we would want to provide free composting bins to needy citizens. Maybe we have not thought this all the way through. I tend to be a fiscal conservative, and the thought that we would move that large a percentage of the money from one place to the other, is concerning to me. And I fail to see why it all has to happen this year. If it feels like a good idea, bring it back in another year, and ask for another ten thousand. Why does \$20,000 have to go this year?

**ACTION [3]:** Select Board Chair Alton Grover made a motion, which [who?] seconded, to schedule a Public Hearing on Feb. 12, at 6 p.m., preceding the Selectmen's meeting.

**Discussion:** Lisa said one ballot question has to do with the petition the Selectmen received from Cushing resident Robert Stackpole: "Shall an Ordinance Entitled Cushing Site Plan Review be repealed?" She reminded the Selectmen that that question had to be included as a ballot question. Alton Grover called for questions—there were none.

**Motion Carried 4-0-0**

**8. Comments from Citizens:** Kristi Niedermann and Crystal Robinson discussed putting the Good Neighbor Park parking lot/culvert project out to bid. Select Board Chair Alton Grover asked if they had specs. Crystal Robinson agreed to take care of this and bring the specs to the next meeting. KN said she didn't realize they would be required to provide specifics. Alton said the necessary specs would include: size of culvert; how long culvert is; ditching; underlayment (size stone/gravel); what size stone/gravel on top—and so on. You are going to have six different bids [and they have to be coordinated].

## **9. Adjournment:**

**ACTION:** Selectman Laurie Haynes made a motion, seconded by Selectman Heidi Alley, to adjourn at 7:05 p.m.

**Motion Carried 4-0-0**

Respectfully submitted,

Katherine Hoyt,  
Deputy Town Clerk