

TOWN OF CUSHING  
BOARD OF SELECTMEN

Minutes of Meeting  
April 23, 2018  
Cushing Community Center

**Selectmen Present:** Chair Alton Grover, Selectmen Laurie Haynes, Danny Staples, and Martha Marchut

**Selectmen Absent:** Selectman Corey Jones

**Staff Present:** Treasurer Lisa Young, as Recording Secretary, and Deputy Clerk Kate Hoyt, in audience

**Public Present:** Planning Board Chair Dan Remian; Planning Board Members Bob Ellis and Bill Aboud; Cushing taxpayers/residents Nick Smith of Bull Run Farm, Cushing resident Kaleb Marshall, and Kristi Niedermann of the Good Neighbor Park Committee

**1. Call to Order:** Chair Alton Grover called the meeting to order at 7:10 P.M. after a Special Town Meeting at which an ordinance entitled "Moratorium Ordinance Regarding Land Use and Growth" had been enacted with a written vote of townspeople gathered of 42 in favor to 26 against.

**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 2018 Warrants 15 and 16.

**Discussion:** Cushing taxpayer Nick Smith asked what was on the Warrants and was told that all Town expenditures were listed for the period. He asked for a copy and Town Clerk Lisa Young agreed to make one.

**Motion Carried 4-0-0**

**4. Approve Minutes of the 4/9/18 Meeting:**

**ACTION:** Selectman Laurie Haynes made a motion, seconded by Selectman Martha Marchut, to approve the minutes of the 4/9/18 meeting as they were presented.

**Discussion:** none

**Motion Carried 4-0-0**

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

**6. Unfinished Business:**

**6a. Parking Lot for Good Neighbor Park**

**ACTION:** Selectman Laurie Haynes made a motion, seconded by Selectman Danny Staples, to consult Maine Municipal Association attorneys in writing, and to ask for a response in writing, to be sure that the transfer of money from the Recycling Committee’s funds to Good Neighbor Park had been legitimate, and to review the language in the deed to be sure the Town had not done anything illegal in making the funds transfer that was requested by the Townspeople.

**Discussion:** Dan Staples referred to two articles, Art. 49 and Art. 51 in the 2016 Town Report (which are Articles 53 and 55 in the 2017 report). The articles read as follows:

**Art. 49/53.** To see if the Town will vote to accept and appropriate, for the purposes for which they are received, the proceeds of all grants made to the Town during the Town’s fiscal year by the federal or state government, their agencies and authorities; and to see if the Town will vote that any necessary matching funds be appropriated by Town Meeting and that any substantive conditions other than standard grant conditions regarding spending only for the purpose for which the grant is made, be approved by Town Meeting.

**Art. 51/55.** To see if the Town will vote to authorize the Board of Selectmen to accept, on behalf of the Town, gifts, donations, trust funds, and contributions in the form of money, personal services, and materials for the benefit of the town, its government—including legal departments and public facilities thereof—for the purpose of aiding and enhancing the delivery of public services. Said gifts to be without conditions and not require the voters to raise additional money.

Dan Staples commented that the Selectmen had received a recommendation to put in a parking lot for \$10,000.00 that would only accommodate six cars. He thought that was not money well spent. He said that the money in the maintenance account might better be saved to maintain the park going forward. He also questioned the appropriateness of transferring the money in the first place. Martha Marchut reminded the Selectmen that the transfer had been made as the result of a vote by the Townspeople. Laurie Haynes commented that, as far as grant money was concerned, the funds had been raised by the Committee and might not have to be considered part of a state grant.

**Motion Carried 4-0-0**

**6b. Town Roads:** Select Board Chair Alton Grover reported that he had received four bids for repaving Cushing roads Spear Mill Road, Killeran Lane, and McCarter Point Road. These had come from:

Pike Industries	\$187,945.00
Allstate Paving	\$169,372.00
Performance Paving	\$168,572.00
Lane Construction	\$145,562.50

**ACTION (6b-1):** Selectman Dan Staples made a motion, seconded by Selectman Laurie Haynes, to accept Lane Construction’s bid of \$145,562.50.

**Discussion:** Danny Staples commented that Lane’s bid was the lowest. Dan Remian commented that Lane had done a bad job of repairs on Route 1 near Wiscasset, that the road surface had had to be torn up and replaced several times. Bill About suggested that the Selectmen get each bidder to submit references of jobs they had done, and then call those references. He offered to help do this. Dan Staples commented that Performance had done a great job on his wharf, seven years before. Alton Grover said he’d heard bad things about Performance—that, in fact, “you could probably get a bad report for each one of them.” Discussion of whom to consult with: Town Manager Val Blastow of Thomaston, Thomaston Director of Public Works James Connor. Based on the discussion, the Selectmen opted to postpone the decision until a specially called meeting of the Selectmen, which would have only one agenda item: hiring a company to fix the Cushing roads.

**Motion Not Carried 0-4-0**

**ACTION (6b-2):** Selectman Dan Staples made a motion, seconded by Selectman Martha Marchut, to hold an extra meeting of the Board of Selectmen on Monday, April 30, at 6 p.m. in the Cushing Community Center in reference to Cushing 2018 road repairs only.

**Discussion:** Martha Marchut suggested that Selectmen check references of the four bidding companies with Thomaston and Warren. John Wood, a state inspector, mentioned as a resource.

**Motion Carried 4-0-0**

**ACTION 6b [Informal]:** Select Board Chair Alton Grover agreed to check references and to talk with the people named about the bidding companies.

**6c. Foreclosure Update**

**ACTION 6c-1: [Informal]** Dan Staples suggested the Town set the bidding for the two foreclosure properties at a minimum of \$50,000.00 with a downpayment check in the amount of \$5,000.00.

**Discussion:** The two properties were discussed separately. Regarding the property on **River Road**, Municipal Treasurer Lisa Young had met with one of the former owners, who had submitted a letter to the Board of Selectmen. Treasurer Young asked if the Selectmen had all read the letter, and they said they had. Laurie Haynes asked if the Town had done everything that was legally required to attempt to contact the owner, and Lisa replied that every attempt had been made to contact the two owners, neither of whom currently resides in Cushing. A certified letter had been sent, and picked up, by one of the owners, though not the one who had come to meet with the Treasurer. Lisa outlined the process and indicated that all appropriate measures had been taken to contact the property owners, as is always the case in such situations. She described the steps she and the Tax Collector had taken over the course of the two-year period. (These properties had been liened and foreclosed on for nonpayment of 2015 taxes.) Alton Grover commented that the former owner had given Lisa incorrect information; Martha Marchut commented that the former owner's lack of attention to a two-year-old tax debt, and her willingness to leave the responsibility of paying taxes to a person whose dementia had become so advanced that he needed a caregiver—were not problems that the Board could remedy. Dan Staples felt that the Board and the Treasurer had been fair, and Treasurer Lisa Young reminded the Board that all property owners had to be treated in accordance with state statutes. Bill Aboud asked what the Town received when they foreclosed on a home, and Alton Grover said that all proceeds from a foreclosure sale went to the Town.

Regarding shorefront foreclosure on **Sheep Point Road**, Alton commented that the septic system was challenged and likely illegal—that it had a cast-iron pipe that ended at the shore. Someone asked what the tax-assessed value of the two properties was, and was told that the cottage on Sheep Point was assessed at \$216,000 and the property on River Road, at \$130,000. The cottage is not insulated and has no stove, but the lumber is good. The River Road property has been stripped of appliances.

**ACTION 6c-2: [Informal]** Dan Staples suggested the Town send the information to the Town Attorney for guidance. Martha Marchut agreed.

**ACTION 6c-3: [Informal]** Treasurer Lisa Young agreed to separate the two foreclosure bids.

**7. New Business:**

**7a. Modine Furnaces at Fire Station**

**ACTION:** none taken; Chair Grover was notifying the Board of an action after the fact

**Discussion:** Select Board Chair Alton Grover told the Board that a maintenance person from Maritime Energy had discovered that pumps at the fire station were obsolete and needed to be replaced. Maritime estimated the replacement would cost \$1006. Grover had authorized the repair.

**Motion Carried 4-0-0**

**7b. Selectman Duties for 2018**

**ACTION:** Selectman signed around a list.

**Discussion:** The list of Selectmen duties for 2018 is as follows:

Alton Grover, Board Chair: Selectmen meetings, incoming mail, keeping the Board informed, agendas, newsgroups, General Assistance Administrator, overseer of local and state roads, legal, MMA representative, Cushing-Friendship-Waldoboro Transfer Station Management Board; insurances

Dan Staples: Board representative to the Georges River Regional Shellfish Management Joint Board of Selectmen, Knox County departments, Board representative to the Harbor Committee, and back-up GAA

Laurie Haynes: Board representative to the Ordinance Committee, Recreation Dep't., and Cemetery Board

Martha Marchut: Employee Oversight; Office Operations; Committee Membership; Recycling Committee; Internal Audits of Town Clerk, Treasurer, and Tax Collector; Board rep. to Recycling Committee

Corey Jones: Board Rep. to the Rescue Squad; Waldoboro Transfer Station; Insurances (informally, shadowing Alton and Lisa to learn insurances)

**7c. Ballot Clerks**

**ACTION:** A list of local people was read into the record. They were appointed as ballot clerks.

**8. Comments from Citizens: (1)** Dan Remian commented that Cushing does not appear on a recent Rand McNally map of the United States. **(2)** Bob Ellis suggested, regarding discussion above under **(6a)**, that the transfer of \$10,000.00 could be put toward the maintenance of the park and not toward construction projects, that the Select Board could consider having any construction projects go on the Warrant as Town expenditures on Town property. Dan Staples said there was a big difference between "raise and appropriate" and "approve the expenditure". Kristi Niedermann said that \$15,000.00 of the money in the Good Neighbor Park fund that had been raised already could be considered construction money because the Committee had raised it. Dan Staples said that the question should be put before the voters. Kristi thought a parking lot would be safer for kids and families than parking along the side of the road. Dan Staples suggested families could use Karl Crute's park, designed specifically for kids. Kristi added that elderly people would prefer a parking lot. Nick Smith asked if the Recycling Committee was independent of the Town. Dan Staples answered that, no, they were under the Town's jurisdiction.

**9. Adjournment:**

**ACTION:** Selectman Alton Grover made a motion, seconded by Dan Staples, to adjourn at 8:07 p.m.

**Motion Carried 4-0-0**

Respectfully submitted,

Katherine Hoyt,  
Deputy Town Clerk