

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

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

Selectmen Absent: Selectwoman Martha Marchut

Staff Present: Town Clerk Lisa Young

Public Present: Robert Stackpole

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 15 and 16.

Discussion: none

Motion Carried 4-0-0

4. Approve Minutes of the April 8, 2019 Meeting:

ACTION: Selectman Dan Staples made a motion to approve the minutes of the April 8, 2019 meeting as written. Selectman Corey Jones seconded.

Discussion: none

Motion Carried 3-0-1, Laurie Haynes abstained

5. Additions and Changes to the Agenda:

5a. Change in payroll

ACTION: none

Discussion: Lisa wanted to update the Selectman that after a recent class she attended she learned that payroll must be bi weekly and that we can't have that occasional three-week period [being payroll has been paid same day as Selectman meetings]. She explained that what happen is that every now and

then when payroll was to be three weeks, State law states it can't go that long, so by law she will keep bi weekly pay going forward and can just bring warrants to the meetings or the Selectman can just come in and sign when needed.

6. Unfinished Business:

6a. Andrew Blanchard's seat on the Planning Board

ACTION: Laurie Haynes made a motion to call in Andy Blanchard to the next Selectman's meeting, seconded by Dan Staples

Discussion: Dan Staples questioned that since Andrew Blanchard's resignation was not accepted due to the fact that he did not actually write it up himself, that if he isn't fulfilling the by-laws, should we bring him in and talk to him [about the position]. Alton and the other selectman agreed, he should come in and it should all be talked about. Robert Stackpole added he felt it wasn't Mr. Aboud's place to write the letter for Andy, secondly adding that if meetings are in the middle of a work day in the morning, most people that have jobs can't take time off in the middle of the morning in a work week, and that he himself could not do so either, adding that they [the Planning Board] can't expect people that work to be there. Alton added that Andy's problem was that he had a problem with night and/or day meetings on certain days due to his job. Bob Stackpole added he feels that there should be some regular working men on the board, different genders, a mixed flow of people to keep things balanced.

Motion Carried 4-0-0

7. New Business:

7a. Tax acquired property located at 236 Cushing Road. Map 011 Lot 008

ACTION: Selectwoman Laurie Haynes made a motion that we put the tax acquired property located at 236 Cushing Rd, Map 011 Lot 008 out to bid in the Courier three times. Selectman Corey Jones seconded

Discussion: Alton said they were still checking on the property and thought that there might be somebody living there. Corey said that the last time he plowed there was a light on inside, and that all winter long the only time he had seen lights on or life in the place was at night time. He had said he had tried stopping by four or five times since it came up, even before we acquired the property, and never got anyone there, but he notices tracks in the middle of the storms in the driveway where people drive in, turn around, and leave, but you never see anybody there. Alton questioned if he's never seen a car stay there at night, Corey said no. He said he assumes that whoever is living there is being kind of a hermit or something. He added that the lady that had the POA or the heir [of the people that owned the trailed who have now passed away] didn't really want to respond, so he [Corey] feels that her siblings or somebody had someone renting it and was supposed to be taking care of it and she [heir] was kind of overtaken and had no control of the situation. Corey said he had talked to her and she had said she had pretty much washed her hands of it and over the \$20 we [the town] ended up with it over, she had said nope, she was done and the bank was taking it anyway. Alton stated right now it belongs to the town and it needs to have insurance put on it. Lisa added that the insurance form needs to be filled out, so someone needs to go and check on it [the property]. Laurie asked about the mortgage on it. Lisa informed that we have tried to contact the bank, when Kate was still here, we sent them the paperwork and they [the bank] never responded. Corey said the bank was already in foreclosure, Lisa said we had never received anything back. Laurie asked if we could contact the heir to see which bank has the mortgage on it. Lisa said that was what had been done, and it was sent to the bank that was on the registry and that we have

the proof it had been sent to the bank. It has now been the three months since the bank received it, even though they had not responded we did our due diligence. Corey asked as far as securing the property goes, we've tried and no one has responded, now that we own it, why can't we have Knox County go in and open the door. Alton asked if they were allowed to do that, and added that someone must have the key, the door is locked. He asked if the heir would have the key or know where it is. Corey added we keep making attempts and no one comes to the door. Laurie pointed out that we are responsible if someone gets hurt on the property so that if someone is living there, they need to not be living there. Corey added the people that he has seen going in and out of there raises a flag to him that something sketchy is going on over there, he gets a weird feeling about it. Alton said if the people in the property have a right to be there then you can't kick them out. Laurie questioned how they can have a right to be there, Alton said they can and that Rockland had three episodes of it this year. Lisa added that you can actually sell property with people still living in it. Laurie pointed out that it didn't seem it was the owner of the property staying there, Lisa said it didn't matter, it could be renters. Corey said if she [the heir] says no one is supposed to be there what. He added that he thought the situation seemed as she was the controlling heir but her siblings may have let someone stay there and it was taken advantage of and why nothing got paid. Alton said he was amazed the power was still on. Alton said we need to just watch, if we see lights on, call the Sheriff's Dept. Corey suggested riding over to check it out after the meeting. Dan asked if we should put insurance on it now, Lisa said yes but there is criteria and things that need to be filled out with questions answered. Alton asked what happens if someone came to take the trailer [foreclosure]. Lisa said we trump all else. Corey added that a while back there were two big No Trespassing signs on each side of the driveway, but a couple days later they were gone. Alton said insurance should be put on it in the meantime, Dan agreed that yes everytime the town has property insurance needs to be on it. Lisa added that we need to know if its occupied first as it's one of the questions for the insurance. Lisa asked if they wanted to wait until the next meeting to determine when it was going to go out to bid and reminded that it has to be advertised in the paper three times. Alton said the first thing we need to figure out is if anyone is living there, Corey said let's ride over tonight and go from there. Laurie asked if it made a difference if someone is there or not as to when we publish it, why are we waiting to put it in the paper, she thought we ought to just go ahead and begin advertising it now. Lisa asked when they wanted the bidding process to end, it was decided bids would be opened on May 28.

Motion Carried 4-0-0

7b. Emergency Management training: Introduction to Continuity of Government Planning for Rural Jurisdictions.

ACTION: none

Discussion: Alton said this training is on Thursday, May 23 from 8am to 5pm and the topics are development of strength and current continuity plans, address resource needs, succession planning, plan for alternative communications, designate alternate facilities, authority delegation, identify critical equipment needs, ensure personnel are properly trained. Alton said this training is offered at no cost and you would need to sign up beforehand. Training is held next door to the Sheriff's Office at Knox County Emergency Management office. He added if anyone is interested let Lisa know and she will sign you up. Dan Staples added that he and Austin are going to a training at the Island Institute for grant writing on May 8-10

7c. Sign Planning Board and Cushing Harbor Board appointments

ACTION: appointments were signed

Discussion: Lisa added they are reappointments for Bob Ellis on Planning Board and David Taylor to Harbor Board.

7d. Discuss dog warning notice

ACTION: none

Discussion: Dan Staples mentioned how he [Animal Control Officer Bill Demmons] had come in a while back asking Selectman to waive some fees and the Selectman had chosen not to as a precedence for that had already been set, can't waive for some and not for others; we have a law, we have a situation, we have to stick to it. Lisa clarified that this was more in regard to a letter that was sent out after late fees began February 1. Lisa said this letter was sent to Sami [by the ACO] and she filled in all of the information and sent letters out for him. On the letter it said there were so many days to do this [come in and register dog], some came in and paid, and some have not; now the problem is the people that received the letter and ignored it and nothing is happening. Lisa read the letter stating, "if this condition is not corrected within 22 days you'll be charged with a violation of the above noted law." She said we are now wondering what next and the ACO told us it's expensive to do it, but Lisa added why send the letter if you're not going to follow through. Laurie said she had a conversation with him [ACO] a couple weeks ago and she must have misunderstood, he had told her that he had sent out the letters and that there were only a couple left that hadn't been paid, but Laurie said that according to Alton there was a lot more than a couple. Dan said it was a point of law, if he said he was going to do it, he needs to do it. Corey added that even though it was a while ago now, the fact he brought it in, isn't it more his responsibility to fill in the names and send it out, Dan agreed. Corey added it got done and wasn't a problem, but if the office is busy, its kind of taking advantage. Dan added that is a part of his job and that Lisa and Sami are not his private secretary. Dan said we went through it a couple years ago with another person, constantly coming in and wanting them to do stuff that wasn't their job. Lisa added more so than that, it's more about following through. Laurie asked about the time table, Lisa added it was 22 days, but that was back on February 8th. Corey said you have to follow the law. Alton said back when Arthur was ACO, he used to go around and knock on doors, Dan added that's what Bill should be doing. Laurie said she could call him [Bill] or it might be better to have him come in to the next meeting.

7e. Copier Contract (copier in Assessor's office)

ACTION: Selectman Dan Staples made a motion, seconded by Corey Jones, to accept the contract for \$159 for a year

Discussion: Lisa said in order to have the contract (which pays for the copier if it breaks down and the toner) it would be \$159 for March to March. This is the for the old copier that is now in the Planning Board room and she isn't sure how much use it will get. Alton said he felt it was worth it, \$159 for a whole year. Corey said he thinks everyone in that office should use that copier, instead of the new one in the office. Laurie asked what it covers. Lisa answered maintenance, if something happens you call, and they'll come. She read the agreement states it includes, "all parts, labor, and consumables except paper, staples, and waste tonable bottles, but it will do toner too. It does not include IT support or costs and does not cover problems due to paper, toner, or surge protector not approved by Acopy."

Motion Carried 4-0-0

8. Comments from Citizens: Robert Stackpole was talking about the land use topic as posted on the upcoming Planning Board meeting agenda. He pointed out the past vote on the issue and added that he made a sign, but didn't go out and campaign at all, and that a number of towns people didn't realize it was voting day because the sign out in front of here [the town office] doesn't stick out to people traveling back and forth to work everyday so he was happy that his sign could make them aware. He said that the issue has been voted down before and he feels the town needs to forget about the land use issue. He feels that instead of just a few people deciding we need rules; they need to be asked to make rules. Someone should ask or start a petition asking for rules, before the town tries to make rules, before anything is even started. He brought up all of the time and money spent to draw up these rules that

people didn't want. Laurie said that she understood his point. Bob asked if he was making sense. Dan Staples said there already are shoreland zoning and subdivision laws, Bob agreed we have had those for a long time. He said there are only a select few that want more, not everybody like those select few make it seem, adding he felt it was all falsely presented. The point he wants to stress and feels should be taken into consideration is to stop letting people spend money on lawyers and such to come up with things that majority of the towns people don't even want. Dan added that some people did want it and some people didn't, adding that there were situations and parts that even he didn't like. Laurie told Bob she appreciates his feedback and thinks he has a different perspective than many people and that's how he gets things done however there are some things he said that didn't make sense to her, such as the community should come to us [Select Board] saying we want to make some rules and then we get them to make rules, what does he consider community; one person or ten? Bob clarified that no he meant the town, get a petition up, get it to vote, for each issue before a process is even started. Laurie clarified that if someone in town wants new rules in town that there should be a petition to start, and then a vote, Bob agreed and added it should be advertised well. Bob pointed out seeing all on cushing.gov and found the information as stuff isn't on the Cushing Post [email] anymore. Lisa informed that the Cushing Post is a private thing, not town related, and that Richard now does the website which is the town's site. She said many things are only on the website now and unfortunately not all out through the Cushing email. Lisa said she would ask Richard if more things can go through the email as more people seem to be requesting that. Bob brought up selectman minutes being available to view and asked how long before selectman minutes are on the website, Lisa explained that once minutes are approved at the next Selectman meeting, they are posted to the website on the next working day the office is open, so for tonight's meetings the last meetings minutes were approved, Sami will get them to Richard to post on Wednesday. Bob said in the past the website hasn't had current information, he does understand the two week delay, although he doesn't see why they need to be approved, they should be what they are, Laurie added that sometimes something is written wrong and isn't actually what was said. Bob said that's why he feels the recording should be right online to listen, what is said is what was said. Dan said he has been on several boards and has never seen one where the minutes aren't reviewed first. Bob ended by getting back to his original point and saying he stated his piece, and what you [Select Board] do with it is what you do with it. Laurie added that if Bob feels that strongly about the way rules and regulations coming about the way he suggested, that he has the ability to circulate a petition saying that, adding it would be the appropriate way to make that change. Bob ended saying he will work on it.

---Executive Session---

The Select Board entered into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A) to discuss a Personnel Matter and §405(6)(F), to discuss a confidential record, at 6:47 p.m. A motion was made by Selectman Alton Grover and seconded by Dan Staples, to go into Executive Session.

Motion Carried 4-0-0

Selectman Daniel Staples motioned, and Corey Jones seconded, to enter back into the main meeting at 7:39 p.m.

Motion Carried 4-0-0

ACTION: Selectwoman Laurie Haynes made a motion, seconded by Dan Staples, to return the application for the abatement request with missing information highlighted in addition to the questionnaire we used last time we got a request

Motion Carried 4-0-0

9. Adjourn

ACTION: Selectman Alton Grover made a motion, seconded by Dan Staples, to adjourn at 7:45 p.m.

Motion Carried 4-0-0

Respectfully submitted,

Samantha Jones
Recording Secretary