

TOWN OF CUSHING
BOARD OF SELECTMEN
Minutes of Meeting
December 9, 2019
Cushing Community Center

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

Selectmen Absent: none

Staff Present: Town Clerk Lisa Young

Public Present: Austin Donaghy

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 Martha Marchut, to approve 2019 Warrants 48 and 49.

Discussion: none

Motion Carried 5-0-0

4. Review and approve the minutes of the November 25, 2019 meeting

ACTION: Selectman Dan Staples made a motion, seconded by Laurie Haynes, to approve the minutes of the November 25, 2019 meeting as written.

Discussion: none

Motion Carried 5-0-0

5. Additions and Changes to the Agenda:

5a. Recycling Costs

ACTION: none taken

Discussion: Martha wanted to report back on a question Laurie had asked about the transfer station. She said she had spoke with John Daigle and he did the math and based on what they pay to Lincoln County, the costs of sending recyclables there comes out to \$20 per ton. When they send them to Hampden it is \$35 per ton for the tipping fee and an additional \$35 per ton for transportation. She said based on his calculations it is considerably less expensive sending to Lincoln County.

6. Unfinished Business:

6a. Small Bridge on Pleasant Point Rd

ACTION: none taken

Discussion: Dan said a certified letter was sent out to the owner of the property that had the small bridge in the road right of way on Pleasant Point Rd. He said the owner did come into the office and Sami called Dan to have him answer questions for the owner. Dan said he told the owner he was in the road right of way and could be liable and asked him to at least remove the front piece so the snowplow wouldn't hit it. Dan reported that the owner has since done that.

6b. Cemetery Board

ACTION: Dan Staples made a motion, seconded by Laurie Haynes, to appoint Guy Barter to the Cemetery Committee.

Discussion: Alton said Guy Barter had told him he would be willing to join the cemetery committee. Dan said he told him as well, but he did ask if it would be a conflict of interest where he mows the cemeteries. Dan said he told him he didn't think so but would check with the rest of the Board. Laurie asked if anyone had advised Guy to get in contact with the Weiserts.

Motion Carried 5-0-0

7. New Business:

7a. Snowplow driver and Stones Point fence

ACTION: none taken

Discussion: Dan Staples said he had spoken with Richard Flewelling, attorney at MMA, regarding the fence that was hit by the snowplow on Stones Point Rd. He was informed that because the house/fence has been there for over 40 years, there is a law that states the Town has relinquished their rights to the right of way by not addressing it to the landowner; therefore holds the town liable for fixing the fence. Alton and Dan both agreed it should be reported through the insurance and a claim could be made to make the repairs. Dan said there were more than a few slats, there were up above 20 broken. Corey added that depending on how fussy the homeowners could be, it also did nick the reflector and trim board on the house too. Dan said he talked with the owner and informed them it was going to be discussed tonight and that repairs would probably be made in the spring. Dan said the owner also asked about the mailbox and Dan wasn't sure about that. Alton said he didn't think the mailbox was damaged, more just knocked off. Martha asked if he was aware that he hit that. Alton said he does now, he told him. Martha stated that her mailbox was hit too and when she went to the Post Office to ask to have her mail held the Postmaster said there was an unusual number of mailboxes hit. Laurie asked why so many things were knocked over. Dan said sometimes when drivers first start it takes some time to get used to the wing. Corey added it is a learning curve, when a wing sticks out there 6-7 feet. Alton asked about the homeowners with the fence in the right of way on Spears Mill Rd, adding that a letter was sent a couple years ago. Dan suggested now that it has come up as an issue, maybe another letter should be sent certified, reminding that their fence is in the right of way and any damages that may occur from a plow would be the homeowner's responsibility. Corey asked about that fence on Spears Mill, if it stays there for 40 years, will it be the same issue, even if we have notified them that damages are on them now, after 40 years will our right of way be gone, should we be asked them to move the fence back. Dan said he wasn't really sure, he didn't really ask that as he was only talking about that on fence when he called.

Dan said he would call back and ask as that is a good point. Laurie asked if we keep a record. Lisa said we do when we send certified.

7b. Approve transferring money from Transfer Station Savings to Transfer Station Expense Account

ACTION: Selectman Dan Staples made a motion, seconded by Martha Marchut, to transfer \$8300 from the Transfer Station Savings to the Transfer Station Expense Account

Discussion: Dan said at budget time this was discussed but hadn't been approved

Motion Carried 5-0-0

8. Comments from Citizens: none

---Executive Session---

The Select Board entered into Executive Session, pursuant to 1 M.R.S.A. §405(6)(E), for consultation with legal, at 6:18 p.m. A motion was made by Selectman Alton Grover and seconded by Dan Staples to go into Executive Session.

Motion Carried 5-0-0

Selectman Dan Staples made a motion, seconded by Martha Marchut, to enter back into the regular scheduled meeting at 6:37 p.m.

Motion Carried 5-0-0

ACTION: Selectman Dan Staples made a motion, seconded by Martha Marchut, to authorize Austin to talk to the Town attorney to proceed in whatever manner he needs

Motion Carried 5-0-0

---Executive Session---

The Select Board entered into Executive Session, pursuant to 1 M.R.S.A. §405(6)(F), to discuss a confidential record, at 6:39 p.m. A motion was made by Selectman Alton Grover and seconded by Dan Staples to go into Executive Session.

Motion Carried 5-0-0

Selectman Dan Staples made a motion, seconded by Martha Marchut, to enter back into the regular scheduled meeting at 7:04 p.m.

Motion Carried 5-0-0

ACTION: Selectwoman Martha Marchut made a motion, seconded by Dan Staples, to grant abatement for person discussed in executive session for tax year 2017 for net amount owed (2017 taxes less anything paid)

Motion Carried 5-0-0

9. Adjourn

ACTION: Selectman Alton Grover made a motion, seconded by Dan Staples, to adjourn at 7:06 p.m.

Motion Carried 5-0-0

Respectfully submitted,

Samantha Jones
Recording Secretary