

TOWN OF CUSHING
BOARD OF SELECTMEN
Minutes of Meeting
February 24, 2020
Cushing Community Center

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

Selectmen Absent: none

Staff Present: Cushing Treasurer/Town Clerk Lisa Young

Public Present: Harbor Master Austin Donaghy, William N. Smith, and Robert Ellis

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 Corey Jones, to approve 2020 Warrants 57 and 58

Discussion: none

Motion Carried 5-0-0

4. Review and approve the minutes of the February 10, 2020 meeting

ACTION: Selectman Dan Staples made a motion, seconded by Martha Marchut, to approve the minutes of the February 10, 2020 meeting with changes.

Discussion: Dan brought up on the second page where it said protocol, it is not protocol, it is a policy. He read where it stated made a motion about making a protocol, it was a policy. Lisa said at first there was some talk on protocol, and she believes it was at first stated protocol before it changed to a policy. Martha brought up a typo on page 3 where it talks about the Spirit of America, she states the word reward should be award.

Motion Carried 5-0-0

5. Additions and Changes to the Agenda:

5a. Transfer Station Committee

ACTION: none taken

Discussion: Martha said the first meeting of the Transfer Station Committee will be Thursday, March 5 at 4:30 pm at the Waldoboro Town Office. Alton asked if it was going back to the way it used to be,

Martha said yes, she thought so. Dan added he feels it's a good thing and the townspeople will be better informed and have more participation. He added that other than the school and the county, it's the biggest budget item.

5b. Fee Schedule

ACTION: Selectman Dan Staples made a motion, seconded by Martha Marchut, to approve the changes that CEO, Scott Bickford, recommended to the Land Use and Development Fee Schedule

Discussion: Dan told the Board Scott had recommended some fee changes, adding he put them down from \$200 to \$100 on a couple things [subdivision review and site plan review pre-application meetings], and only increased accessory structures in the shoreland zone from \$10 to \$20. He said as we [The Board] set the fees we need to approve those changes.

Motion Carried 5-0-0

6. Unfinished Business

6a. Claybrook landscaping issue

ACTION: none taken

Discussion: Dan Staples said a bill was sent for \$28.64 for serving the letter and that he [Claybrook] has 30 days to pay it. Lisa corrected that the bill was actually sent to the Town and that's the fee we pay for having them serve him the letter. Lisa said he hasn't yet got in touch with us [the Town]. Dan said his recommendation, because he seems to just be ignoring it, is that even if it costs us a little bit of money, we should do this in small claims court to set a precedence. Dan feels that without that, everybody that does stuff like that will just ignore it and not pay the bills. He said it needs to be consistent every time. Lisa asked who would be going [to court]. Dan said he wouldn't mind doing it, as long as he is around. Laurie asked if it has been 30 days, where he had that long to get in touch with us. Lisa apologized for not having the letter with her for that actual date but said it has probably been longer. Dan said it would need to be determined by Gretchen what work he didn't complete and what the monetary value of that would be before you can do anything. Dan said he will talk to Gretchen and added that if you do go to small claims court Claybrook would be responsible for the Town's fees as well.

7. New Business

7a. The Cushing Public Library is seeking approval to use the multipurpose room for an afterschool 4H outdoor ecology program

ACTION: Selectwoman Laurie Haynes made a motion, seconded by Martha Marchut, to approve the use of the multipurpose room for the afterschool 4H outdoor ecology program

Discussion: Lisa confirmed they do have insurance

Motion Carried 5-0-0

7b. Cushing Democratic Party is seeking approval to use the multipurpose room for their March 8, 2020 Caucus

ACTION: Selectwoman Martha Marchut made a motion, seconded by Laurie Haynes, to approve the use of the multipurpose room for the Cushing Democratic Party March 8, 2020 Caucus

Discussion: Laurie said she remembered having a great big discussion last year about not letting Republicans or Democrats or Independents, or any party use the gym, she added she didn't understand why we didn't let them use it. Lisa said that talk was actually a long time ago and they have used it before. Dan said the Town does have the right to charge them for janitorial expenses if they do use it. Lisa went back to what Laurie said, she said it goes back to when Mr. Worthing was on the Board and then it was determined that you can't do that. Lisa added the Democratic Caucus has been here for a while, the Republican one is usually in Rockland as they do it as a group Caucus. Laurie asked if they were insured, Lisa said they were, and she doesn't remember ever having a problem as far as a mess or anything goes. Martha felt it needs to be consistent, as far as it goes charging them for janitorial stuff if we haven't others. Dan said he was just saying you can.

Motion Carried 5-0-0

7c. Copying fees for tax bills etc

ACTION: Selectman Dan Staples made a motion, seconded by Corey Jones, to approve copying tax bills, septic designs, and building permits at no charge for the property owners only. (Not someone representing the property owners).

Discussion: Lisa said she just wants some clarification and approval from the Board that if a tax payer comes in and wants a copy of their plumbing permit or tax bill [or other like documents] a lot of Town's just don't charge if it is a property owner. She clarified only if it was the property owner, not someone representing the property owner, but asked if the Board felt the same way and were okay with that. Lisa said Scott said that's how a lot of other Town's do it so she wanted to check.

Motion Carried 5-0-0

7d. Posting of roads

ACTION: Chairman Alton Grover made a motion, seconded by Laurie Haynes, to put up weight signs (post the roads)

Discussion: Alton said he has noticed lately that surrounding Town's are putting up weight signs. Dan confirmed that was posting the roads. Laurie thought it was a good idea. Dan asked if in the past he has done it when Warren does due to Spear Mill. Alton said he's not sure if they have yet or not but Rockland and Thomaston have. Corey said they're going to start softening up, and added his driveway is all mud and it never has been which surprised him because there wasn't much frost in the ground. Alton also added that they are also getting more sand tomorrow, 100-150 yards.

Motion Carried 5-0-0

7e. Website

ACTION: none taken

Discussion: Lisa informed the Board that Richard Provonchee was in, and he is not going to stop doing the website but thought it would be a good idea to start trying to think about finding someone else to learn it and eventually take over.

7f. Letter Alton received

ACTION: none taken

Discussion: The Board discussed a letter that was received by Alton at his home from Ed Mezzepelle in concern of a Town issue. Dan said he doesn't feel the letter has anything what-so-ever to do with the Select Board. He added it has nothing to do with us what-so-ever and it's a code enforcement issue. He said the CEO is the one who goes down and checks out any permits and he's already gone down and done that and the only alternative would be calling to ask the State Board if all permits are up to code but other than that there have been no violations. Dan added he doesn't even know why this is coming to us as it has nothing to do with us what-so-ever. Alton asked Austin, saying the only reason he mentioned the Planning Board was because Bill Aboud's name was on it [letter]. Austin said it could have Santa Claus's name on it and it still is not something the Planning Board has the authority to do. Alton said he believed Bill and Bob [Ellis] had talked to them. Robert Ellis said Bill had talked to the Department of Subsurface Waste in Augusta and they said it sounds like one of the State Inspectors should come down and inspect it as far as the septic system being adequate for the use it's being used for. Alton said he as informed by Scott that he has already inspected it and there's nothing leaking so there's nothing he can do. Bob said he knows, he had talked to Scott too, but he is just telling them what his boss said; the one that comes up with the rules that he has to comply with and as far as they are concerned someone should come down and look at it. Bob said that is the office these people should contact. He said he couldn't remember the name of the person, but it is the state level of septic rules. Corey said it doesn't really matter because there is a system in reserve and if the current system fails, a new system can be put in next week, and that Scott has that on file. Bob said he is just telling them what the State said. Alton asked what they do, make sure it's up to code, or not leaking or what do they do. Bob said he didn't know. Corey said they will test along the shoreline and go down and test areas. Corey added it could backfire, someone else could have a leak, and they would be able to tell any of that as well. Bob said he is only suggesting, as he believes Bill had already told them that too, but that's who they would need to contact due to their complaints of not getting anywhere with it [in town]. That way they would get a definitive answer from the State level. He added if the guy came down and said it's the way it's supposed to be for the use it's currently under then that would be the end of it. He said when there is one resident in Town that's got some complaints, adding don't get him wrong he wouldn't want this next to his house from some of the things he has heard such as bachelor parties and whatever the h*** they were, but he wouldn't want it beside his house either. Corey added that just for the record the wedding was at Brewster's place [across the cove]. Bob said when you have one incident or however many at one property, you can't leap into action and start making rules and regulations, and ordinances, and then have it just shot down, or not accepted by the whole Town. He said you have to do things the way you guys [the Board] think is a recommended course to go before they start making rental rules in Town. He added as far as the Planning Board goes, when someone starts complaining because they're used to having those rules where they lived the rest of the year, it's not necessarily going to work here. Alton said Scott also informed Mr. Mezzepelle that he should have his lawyer write a letter with what is wrong and what law is being broke. Bob said he thought Bill told him that, as well. Bob said there is nothing to appeal because all of the original permits were done, and things are still in compliance. Dan said right, there is nothing to appeal, but that doesn't even matter here; it has nothing to do with us, that's the bottom line, it has nothing to do with the Select Board. He added that this letter to us, we can't act on it because we don't have the authority. Corey added that there is a lot of false stuff in that letter, too. He added that for example, "Mr. Bickford's meeting with Jason Ward was interrupted by Mr. Jones," Corey explained that he was already in talking with Mr. Bickford and he asked Jason Ward to come into his meeting. He said there is false statements and they are grasping. Dan said it still doesn't matter, it's irrelevant, it has nothing to do with us. Corey felt it was wrong that it went to one person's house, where legal Town mail should go to the Town Office. Martha asked if one of the Selectman is going to get back to them. Dan said they have been told several times, they keep sending letters, and he doesn't think it was addressed to the Board, it was addressed to Alton and could be ignored.

8. Comments from Citizens: Nick Smith asked what the Claybrook landscaping issue was. Alton answered it was work done at the ballfield, they were paid before they finished, and they never returned. Nick also asked about the 4H ecology program. Lisa said it started today, they were outside and didn't need to use the room. She said he could talk to the Library for more information on it. Dan added they could get a lot of resources for it over where Cindy [his wife] works.

---Executive Session---

The Select Board entered into Executive Session, pursuant to 1 M.R.S.A. §405(6)(E), for consultations with legal counsel, at 6:27 p.m. A motion was made by Chairman Alton Grover and seconded by Dan Staples, to go into Executive Session.

Motion Carried 5-0-0

Selectman Dan Staples motioned, seconded by Corey Jones, to enter back into the main meeting at 6:37 pm.

Motion Carried 5-0-0

ACTION: Chairman Alton Grover made a motion, seconded by Corey Jones, to go with what Kristen Collins suggested and pay the \$2000 cost and waive the fines.

Motion Carried 5-0-0

ACTION: Selectman Corey Jones made a motion, seconded by Dan Staples, to adjourn at 6:41 p.m.

Motion Carried 5-0-0

Respectfully submitted,

Samantha Jones
Recording Secretary