

TOWN OF CUSHING
BOARD OF SELECTMEN
Minutes of Meeting
Monday, May 24, 2021
Cushing Community Center

Selectmen Present: Chairman Alton Grover; Selectmen Tracey Bally, Craig Currie, and Martha Marchut

Selectmen Absent: Daniel Staples

Staff Present: Town Clerk Lisa Young

Public Present: Kathy Mcleod, Richard Moody, and Karen Goodwill

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: Selectwoman Martha Marchut made a motion, seconded by Tracey Bally, to approve 2021 Warrants 21 and 22

Discussion: none

Motion Carried 4-0-0

4. Review and approve the minutes of the May 10, 2021 meeting

ACTION: Selectwoman Martha Marchut made a motion, seconded Craig Currie, to approve the minutes of the May 10, 2021 meeting with changes

Discussion: Martha noted a couple corrections: on page 5, it says the permit was issued moroniously it should be erroneously. On page 6, the last section, the extension refers to the site lease agreement, it should say and the master waste supply agreement. She said one other word joined should be joinder. Alton said on 7a, culverts on Killeran Lane, it says driveway culverts, two different sizes, it should be one driveway culvert and one road culvert.

Motion Carried 4-0-0

5. Additions and Changes to the Agenda:

5a. Transfer Station/Municipal Review Committee

ACTION: none

Discussion: Tracey said she was asking on behalf of Dan, he wondered if anyone had an update on the issue on Cottage Lane. She said she and Dan had spoken with Scott last week, telling him to pursue violations so they were wondering if anything had happened yet. No one knew anything yet.

6. Unfinished Business:

6a. Transfer Station/Municipal Review Committee

ACTION: Selectwoman Martha Marchut made a motion, seconded by Tracey Bally, to not invoke the right to a special meeting with the MRC regarding the fundamental matters or changes described in the notice form from MRC dated May 3, 2021

Discussion: Martha said this was the same thing they had talked about for a while now. She said Delta Thermal Energy had four fundamental issues they wanted in part of the agreement, and since there are the fundamental matters, the members have to be given the opportunity to request a meeting to discuss all of this. She said she mentioned it and had asked Kristen Collins and she said they, the Select Board, can make that decision on behalf of the townspeople and she also recommended they not request the meeting. She said towns representing 60,000 tons of waste have to come forward and request this. She said no one has come forward yet and we only bring in 3.5 thousand pounds of waste so by ourselves we couldn't get that anyway. She noted that simply means we are in agreement of moving forward with the sale.

Motion Carried 4-0-0

6b. Town Trucks

ACTION: Chairman Alton Grover made a motion, seconded by Tracey Bally, to put the town trucks out to bid as written

Discussion: Alton asked if anyone saw anything that should be changed or added to the ad. Craig asked how much time was going to be given. Alton said he thought a month was plenty. Lisa said it takes time to publish and also asked if they wanted to post on craigslist too. Craig said he can do that. Lisa said the town has an account; Craig told her to go ahead and do it then. Lisa asked if it should go in Courier too. The Board agreed. Alton wondered about posting in the Bangor paper, too, if it wasn't too expensive. Alton said there are a couple dealers interested in it when it goes out as well. Tracey mentioned having them be in by the June 28th meeting to open. The Board agreed.

Motion Carried 4-0-0

6c. Review quotes for broken gravestone at Norton Cemetery

ACTION: Selectman Craig Currie made a motion, seconded by Alton Grover, to go with the William Dornan & Son quote for \$1,160.50 to repair the monument in Norton Cemetery

Discussion: Craig opened and read the following bids: Cemetery Memorials, William Dornan - \$1,160.50, Brooks Monument - \$1,567.60, and Page Memorials – under \$2000. Craig said Bob recommended whichever was cheapest. He added he has been impressed with William Dornan out of Thomaston who included a sketch too. Craig mentioned the insurance deductible if that would help. Alton said that is getting looked into. They again mentioned not know what caused the break or if the tree cutters were at fault, but how it is the he said she said. Lisa added this is a lesson to the Board to check over all work/repairs as soon as they are completed in the future to know who is at blame. Lisa asked if monies will come out of the Norton account. Alton said we'd wait and see about the insurance first.

Motion Carried 4-0-0

6d. Special Town Meeting and warrant questions on Broadband Coalition

ACTION: Selectman Craig Currie made a motion, seconded by Martha Marchut, to approve the two warrant articles as written

Motion Carried 4-0-0

ACTION: Selectman Craig Currie made a motion, seconded by Tracey Bally, to hold a special town meeting on either the 17th or 22nd of June to review and vote on the articles

Motion Carried 4-0-0

Discussion: Craig said everyone should have a copy of the two warrant questions. He said the number one warrant mirrors exactly what Thomaston, Camden, and Rockport are putting on their June 8th election. He said if Camden and Rockport's articles pass, they are both donating \$35,000 to the feasibility study; adding they've asked smaller towns like us to contribute \$5,000 if we can. He said Owls Head is looking at the same as us. He said he wasn't sure about Thomaston, but the advantage to the feasibility study is that we would be able to understand when we would be able to get fiber into this town. Craig said he felt that was a fair amount to go towards the study. He said if you have looked at the interlocal agreement, there really is no obligation to the town except saying we are going to go with the coalition. Alton asked how we would have the money for the feasibility study. Craig said it is town money and you wouldn't need to do it; the only thing is you wouldn't be in that study. Craig said he looked at undesignated funds, but if we get the federal money it could definitely go towards that. He said the other two things you can spend it on is sewer and water which does nothing for Cushing. He said it can be used for broadband or Covid expenses. Martha asked if it puts kids at a disadvantage if we don't try to move forward. Craig said it's not just kids, it's everyone, and gets us away from only having Spectrum and Consolidated which are both not great. Craig said other towns have put the interlocal agreement and fact sheet up so people can read it over ahead of the town meeting and begin to understand what it is. Craig said Thomaston is having an open house and that could be an option for us too. He said if Camden and Rockport don't vote it in, it kind of goes away since they are the chartering two towns, but he is confident it will pass. Discussion continued to the areas in town without poles and how the fiber lines could be run through conduit. Craig asked when a town meeting could be held. Lisa said you just have to check with Mike about moderating. She said pick a date and we can check it out, the signed warrant just needs to be posted seven days before the meeting. Craig thought getting this moving quicker would be best as there are some other things to do and look into if it gets the town approval. Martha added if they think about adding the Food Pantry to the articles, they should check with the attorney first.

6e. Letter to Knox County on broadband funds

ACTION: none

Discussion: Craig said to look through and read what he wrote and let him know if there are any edits. He said he heard Friday they may not even have their first meeting in regard to the funds until September.

7. New Business:

7a. Kathy McLeod to address the Board regarding the Food Pantry

ACTION: none taken

Discussion: Kathy McLeod introduced herself to Board, noting she is the Treasurer in Friendship and director of the Food Pantry from 2001-2018. She said they wanted to speak to the Board in regard to a meeting with the Food Pantry Committee and Dan Staples about some repairs that need to be done to the building. She said they knew about the erosion and sills that need repairs. She said Dan said the Town of Cushing has \$15,000 set aside for repairs, adding he was concerned about the amount of work it needed. She said his thoughts were the Food Pantry doing capital improvement fundraising; to either put in a new mobile home on a piece of land adjacent to where the food pantry is now, maybe something a little bigger. She said he also mentioned may be getting a grant, where the capital improvements could be \$100,000 plus and could take years to raise. Kathy said they discussed it and a couple days later she had a great idea. She noted they have been really good at getting donations which go towards the food but have never tried to get some to go towards the building. She handed out papers noting the top is the committee's thoughts, the second is what's on the assessors list, and the last page is the actual property. She said what they have thought about is what if the food pantry was sold to the pantry. She said it's a small lot and is a perfect building for the pantry. She said there is not a septic and they are fine with the use of the porter potty. She spoke about all the repairs they have made and the fundraising they have had success with. She said they would hate to see the building be knocked down. She spoke of the expenses the pantry pays for and asked if the Town would be interested in selling that building and the lot it's on to the Food Pantry. Tracey said if it goes to the Food Pantry, don't taxes become an issue. Kathy answered we are a 501C and have the tax exemption; she added if something happened to the food pantry it would be written up in the deed that the building goes back to the town. Martha asked about her reasoning for wanting to do this. She answered when Mr. Staples came and spoke to them in regard to the money in the town's budget for repairs and maybe the expense being less to tear down [they don't want to see that happen]. She added they know somewhat what is under the building and what repairs are needed. She said they already have people wanting to donate the work and have had success in raising money for different causes/needs. Rich Moody spoke of other repairs that would be needed. Kathy said she understood that and felt that taking it off the table so it's not another building the Town has to repair would save a lot of money. Martha asked if she felt if they owned it out right if people would be more receptive to donate money. Kathy answered yes, they see it all the time. Craig said he could see that; it's not that they are giving anything to the Town of Cushing, they would be giving it to the Food Pantry directly. Alton said the worse part is the far corner, when you get into that sill you don't know how far that rot has gone up the wall. She said she has people that want to look at it for them, so they know what to expect. She added the town knows when they have a budget they are locked in, and when you have other buildings to take care of, it adds up. Kathy understood it would need to be a warrant item and would probably not be done before November. Craig said not necessarily, later in the meeting we are talking about a vote for broadband and he didn't see why it couldn't become part of that, which would be June. Kathy said if there are any other questions they come up with, feel free to reach out and ask. She also asked if anyone wants to see the pantry, they could give tours. Craig pointed out this is the Cushing Friendship Food Pantry and clarified that the location is well for the Friendship people too. Kathy confirmed they do, she said she spoke with the Friendship Select Board and they were whole heartedly on board with the idea and keeping the location for the two towns' residents. Martha said they would need to check with the town attorney.

7b. Open paving bids

ACTION: Chairman Alton Grover made a motion, seconded by Craig Currie, to accept the bid from Performance Paving for \$85,000

Discussion: Alton opened and read the paving bids as follows: Northeast Paving - \$85,365 and Performance Paving - \$85,000. Alton said this includes Davis Point Road the the intersection of hathorne Point Road.

Motion Carried 4-0-0

7c. Covid protocol

ACTION: Selectwoman Martha Marchut made a motion, seconded by Craig Currie, that we request that the public wear masks if they are not vaccinated with a sign on the door, and that includes that we request staff that are not vaccinated wear masks.

Discussion: Martha said she had thoughts based on a conversation with someone at MMA, adding that the Governor ordered her new proclamation is seems we ought to at least take a look at what we are requiring. She asked if anyone had any thoughts on what we want to do in regard to the Town Office. Craig said the email Lisa sent out from Gorham was basically a voluntary feel. Tracey said she likes that. Craig said you can get into HIPPA issues if you come into who has been vaccinated and who hasn't; he said you can't ask people if they have been vaccinated. Martha said you can ask, but you can't ask why. Tracey said you can't ask for proof. Lisa said she isn't going to police people, adding today some people came with no masks. Martha suggested a sign saying if you aren't vaccinated, we request that you wear a mask and let it go at that. She said there is also the issue of the people who work in the office, not just the people who come in, and that's a different issue. Lisa said we have all talked and we are careful; she added if you want to continue to only have one person inside and one at the window, but we feel that we wipe things down and are careful. Martha said she doesn't know who is and isn't vaccinated in the office and she's not sure that's a question they want to ask or not; but let's say someone in there is not and is not wearing a mask when the public comes in, that feels like something we might want to think about. She said one thing we might want to do is to ask, and anyone who is not would wear a mask when the public comes in. Lisa reminded there is the big plexiglass divider and we are not open. Martha understood that, adding there is some vulnerability there, but added another option is if people don't want to be asked would have it be set up that when the public comes in the staff continues to wear masks. Tracey asked until when. Martha said until we hear it is no longer a medical emergency, adding it is one of the things the Michael from MMA said it is one of the things people are not understanding is that it is still a medical emergency and that has not changed. Craig said the only other thing he said he would add is that Dawn and the school are still masking and that is only because they are still being asked by the State to do contact tracing; he said no other entity out there is still required to do that besides schools. Lisa added that is in the executive order as well. Martha said she is just expressing thoughts, and thought any decision needs to be voted on. Tracey said its rather it's going to voluntary or if we are going to go above the Governor's executive order and make our own executive order. Martha asked if the staff doesn't wear masks around the public, are we still going to ask that unvaccinated public wear masks inside the office. Tracey didn't think so. Craig said he is still unclear on the legal, can we ask the staff if they have been vaccinated or not. Martha said yes, according to MMA we can, she read the verbiage which says you can ask and/or ask for proof but can not ask why they have or have not. She clarified it said can, doesn't mean you have to. Tracey said there are many reasons why someone may or may not choose to vaccinate, and do we want to make the office girls mask police, or vaccinate police, adding that's not fair to them. She also added we're not a big town where dozens of people come in at the same time, even before this happened. Alton pointed out the plexiglass and how that will stay for a while too; the Board agreed of the added protection that gives, from things other than Covid, too. Tracey said she doesn't think of one place that has kept the mask policy now; she said you just go with it. Craig agreed. Tracey said if it was up to her it would be that masks are voluntary, adding people that want to wear it are still going to; Alton agreed. Craig said the order that went into effect today says that even if you aren't vaccinated, no mask is required, but every business can do as they choose. Alton suggested a motion that a mask be worn on a voluntary basis, if you feel you need it, wear it. He asked if that was okay with Martha. She said it was not what she would choose, but whatever the Board agrees on; Martha added she doesn't think the Board will agree with what she feels. Martha said she is trying to keep with the National CDC, too, which says people who are not vaccinated are requested to wear masks. She said we won't ask anybody who is or isn't vaccinated.

Motion Carried 3-0-1, Tracey did not vote

7d. Flintwood Lane sign

ACTION: Chairman Alton Grover made a motion, seconded by Tracey Bally, to put up a yield sign for Flintwood Lane

Discussion: Alton said it is the same situation as what is happening at the bottom of the hill, so he wondered if putting a yield sign would help. Lisa added there is nothing there now and the other day they got a complaint about someone (without a Maine plate) coming out of that road without even looking as to what was coming on Hathorne Point.

Motion Carried 4-0-0

8. Comments from Citizens: none

---Executive Session---

The Select Board entered into Executive Session, pursuant to 1 M.R.S.A. §405(6)(A) to discuss holiday pay at 7:17 p.m. A motion was made by Chairman Alton Grover and seconded by Tracey Bally, to go into Executive Session.

Motion Carried 4-0-0

Selectman Craig Currie motioned, seconded by Tracey Bally, to enter back into the main meeting at 7:20 p.m.

Motion Carried 4-0-0

ACTION: Chairman Alton Grover made a motion, seconded by Martha Marchut, that staff that do not work on holidays do not receive holiday pay

Motion Carried 4-0-0

9. Adjourn

ACTION: Selectman Craig Currie made a motion, seconded by Tracey Bally, to adjourn at 7:26 p.m.

Motion Carried 4-0-0

Respectfully submitted,

Samantha Jones
Recording Secretary