

TOWN OF CUSHING
BOARD OF SELECTMEN
Minutes of Meeting
Monday, July 12, 2021
Cushing Community Center

Selectmen Present: Chairman Alton Grover; Selectmen Tracey Bally, Daniel Staples, and Martha Marchut

Selectmen Absent: Craig Currie

Staff Present: none

Public Present: Austin Donaghy, Glen Robinson, & Ed Amoroso

1. Call to Order: Chair Alton Grover called the meeting to order at 6:10 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 Tracey Bally, to approve 2021 Warrants 29 and 29

Discussion: Dan noted they should speak with Guy about not mowing quite as often at the cemetery they visited and let the grass grow up a little

Motion Carried 4-0-0

4. Review and approve the minutes of the June 28, 2021 meeting

ACTION: Selectwoman Martha Marchut made a motion, seconded by Dan Staples, to approve the minutes of the June 28, 2021 meeting with changes

Discussion: Martha noted a couple typos; on page 2 the word Sheriff's was spelled two different ways. She also noted cease and dismiss should be cease and desist.

Motion Carried 4-0-0

5. Additions and Changes to the Agenda:

5a. Town Plow Truck

ACTION: none taken

Discussion: Dan asked if the 2007 Town Plow Truck was going to be put out to bid again with a lower price. He asked what the last price was; Alton said \$20,000. Dan asked about re-doing it for \$15,000 as he didn't like the idea of it just sitting there. Alton said he didn't realize it had new batteries. Dan said that should be a plus for selling it. Dan asked if you could put \$15,000 OBO; Alton said he wasn't sure.

Martha thought putting best offer you were putting yourself out and could get something pretty low. Dan said it doesn't matter as we have the right to refuse any offers. Alton thought that would put them out to go lower. Martha said if you say we will accept the best offer if we don't get \$15,000 and then don't accept it that would be questionable. Dan said it is in our hands, we can refuse any bids; he added he knows because they have done it before. Alton asked if it would be on craigslist again, and maybe uncle henrys. He suggested the local paper again, too. Dan said he would like to run the \$15,000 OBO by Lisa and see what she says, or even make a call to the MMA lawyers and ask. Alton said they'll work on it and get something written up like before.

5b. Application for Use of the Cushing Community Center gym

ACTION: Selectman Dan Staples made a motion, seconded by Alton Grover, that we approve it pending proof of insurance

Discussion: Alton said there is an application that was received from George Baker to use the Community Center for a family gathering for a Celebration of Life of Lillian Baker. Alton said if it gets approved, they will get insurance. Dan said they usually have to have proof of insurance before we approve them. Martha said we could approve it pending their insurance. Tracey agreed saying she understands why they don't want to get it not knowing if it's not going to be approved.

Motion Carried 4-0-0

5c. Broadband Internet

ACTION: none taken

Discussion: Dan said Craig called him and said there is some stuff going on for the Broadband. Dan said he [Craig] should be home for the next meeting and would like to report on that then since he has taken the lead on all of that.

5d. Harbor Master addresses the Board

ACTION: Selectwoman Tracey Bally made a motion, seconded by Dan Staples, to follow through and enforce the rules [in the Harbor Ordinance]

Discussion: Harbor Master, Austin Donaghy, said he has three items; the first is speed enforcement, and the second is floats having received some complaints from floats washed up. Austin said the person he had ready to remove one didn't have insurance which is required to work for the town. He added the other is where to land the floats as there is no public land and he has to go over landowners' places. Dan said you know one stranger who has a solid wharf and doesn't mind as long as it's out of there. Dan suggested contacting Dwight Henry. Austin said before going in the speeding issues, his third thing is boats sitting on unregistered moorings. Austin said it's not in an ordinance to deal with but is dealt with by many Harbor Masters. He said he could get it enforced, but if no one is checking these things. He went back to say he has received a number of complaints of speeding in the Pleasant Point Gut and in Maple Juice Cove. He said Cabot Lyman was not happy about boats in the area, as well as floats. He said he also received complaints from the Robinson family; he added these are ongoing things and he can send out all the letters he wants, but it comes down to enforcement. He said in general the majority of the commercial fishermen are very well behaved. He said if he sends warning letters that are due for a fine, it would be a civil fine which covers lawyers, and costs associated with those are a town cost. He said last time insufficient funds were received and he was told the Select Board did not want to be spending money to fight those things; he said Kristen charged \$2,000 or so for her services last time. Dan said she charged right around \$1800, and they got \$1000 back so it cost the town about \$800. Austin said they also lost half of the fine because she settled; he added it didn't go to court which is why

it was \$1800 not \$5000. He said these costs are the risk we are taking [to enforce] and do we want to take these. Dan said his comment is that we are in the middle of litigation down at the end of a lane and hopefully that will go forward but if we have different rules and regulations and we don't support you it's kind of a slap in the face to you. He said it's a hard thing to say because he works with them, but he tries to abide, but will admit there's a few times he comes in and is shooting the breeze. Austin said I know, I have pictures, he laughed. Alton said one of the complainers didn't come tonight even though he threatened to come tonight because of the speeders. Martha said another concern is if we don't enforce our own regulations and there is an accident, and someone is hurt we will be in a tough spot. Martha said we don't want to be on record saying we won't enforce something because of the cost to the Town; she added it's the cost of doing business. Austin said the issues of speeders are damaging property and the danger they pose to kayakers and others. He said documenting them is easy, he has several pictures. A citizen asked if those costs can be recovered; Austin answered yes you can. Dan said he agrees with Martha and feels we should move forward with letting Austin do his job. Austin said the problem is he now works out of town but is willing to take occasional afternoons and sit back home to patrol this. Glen Robinson said in 2012 they built a wharf and later had an incident on the island where there was a life-threatening situation, and if it was not for that wharf and the people that responded they don't know how they would have got him to land. He said they have a 45-foot ramp off the end of that wharf and have trouble with the speed making it difficult to keep their float. He said he's not about tickets but doesn't know why people can't just throttle back. Back to the subject, Austin said he will take the time if he has the backing. Tracey said what's the point to have ordinances if you're not going to enforce them.

Motion Carried 4-0-0

5e. Letter from Tessie Montgomery

ACTION: none taken

Discussion: Alton said he received a letter from Tessie Montgomery, who had moved her [deceased] husband from the Pleasant View Cemetery to the one by Alton's House. He said in the letter she just wanted to thank Lisa Young, Alton Grover, and all of the Town Personnel who helped me move my husband from Pleasant View Cemetery to Robinson Cemetery. She added it was very emotional for her and they were all there to help with her calls and questions and she wanted to thank everyone.

6. Unfinished Business:

6a. Food Pantry

ACTION: none taken

Discussion: Dan said this can be tabled since they haven't made the call. Martha asked if she and Dan are still working on this. He answered yes, we are, and due to some doctors stuff, he will have some time off from work to put into it.

6b. Norton Cemetery

ACTION: none taken

Discussion: Dan said this needs to be tabled too as it needs some research.

7. New Business:

7a. Present Spirit of America Award

ACTION: none taken

Discussion: The Award was presented earlier that night in the Special Town Meeting in honor of Arthur Kiskila.

8. Comments from Citizens: A citizen asked about a green sign that was posted, the Board answered it was an advertisement for the Community Lawn Sale that took place.

9. Adjourn

ACTION: Chairman Alton Grover made a motion, seconded by Dan Staples, to adjourn at 6:38 p.m.

Motion Carried 4-0-0

Respectfully submitted,

Samantha Jones
Recording Secretary