

TOWN OF CUSHING
SELECT BOARD
Minutes of Meeting
Monday, September 13, 2021
Cushing Community Center

Selectmen Present: Chairperson Alton Grover; Select people Tracey Bally, Craig Currie, Daniel Staples, and Martha Marchut

Selectmen Absent: none

Staff Present: Town Clerk Lisa Young

Public Present: Juliette Laaka, Laura June, and Stacey Murphy

Following Public Hearing: Selectperson Daniel Staples made a motion, seconded by Craig Currie, to enact the 2021 General Assistance Ordinance and Appendices

Motion Carried 5-0-0

1. Call to Order: Chair Alton Grover called the meeting to order at 6:05 P.M. and a quorum was determined.

2. Pledge of Allegiance was recited.

3. Approve and sign the Warrant:

ACTION: Selectperson Dan Staples made a motion, seconded by Tracey Bally, to approve 2021 Warrants 36 and 37

Discussion: none

Motion Carried 5-0-0

4. Review and approve the minutes of the August 23, 2021 meeting

ACTION: Selectperson Martha Marchut made a motion, seconded Dan Staples, to approve the minutes of the August 23, 2021 meeting with one addition

Discussion: Martha mentioned that on page 2 at the very top line there was a typo and asked Lisa to ask Sami to use spell check. Lisa said that mistake has already been corrected. Martha asked if she uses spell check and added it would simplify things for everyone. Martha said the other thing under 7b Martha had spoken fairly extensively about requesting funds for a town landing or some type of shore front property and that wasn't in there and asked for that to be added.

Motion Carried 5-0-0

5. Additions and Changes to the Agenda:

5a. Mowing the ball field

ACTION: none taken

Discussion: Alton said he got a call from Danika about the ball field and that Ben Tripp started to mow it but his mower broke down. Alton said he called the School Dept. to discuss with them about mowing it as they had in the past. Alton said it's a new guy dealing with it and the guy didn't know if the school still wanted to do it. He said they are short on help and can't immediately pull a guy to do it. He also said he didn't need to do that deal with the town anymore because the school is under contract and the new contractor agrees to mow, plow, and sand now so they no longer need the town to sand the school parking lot. The contact said he would bring it to the school board tonight, but agreed to finish out this year, but said next spring they will have to make a change. Alton said he wanted to ask the Board their thoughts. Dan asked if it needed to get done for a game. Alton said it's done; Guy was going to take care of it. Alton asked if there was any discussion on next year or wait until next year. Dan said it was just laid on to us so he thought they should take some time. Craig said he is the recreation liaison, so he is happy to talk to Gretchen about it. He said he has spoken with people in the past about how unhappy they have been with the way it's been previously done. He said he knew someone who had mentioned doing it for free. Alton said even doing for free they would need insurance. The Board decided to revisit it later.

6. Unfinished Business:

6a. Broadband

ACTION: none taken

Discussion: Craig said he went through the South Thomaston letter with the municipal utility that has been formed and now signed on with by Rockland, Rockport, Camden, and Thomaston. He said they basically said they are not going to change the agreement because of South Thomaston's/Kristen's objections because what it involves for them is re-opening the vote which was already agreed upon by the voters in some towns. He said he went through it with Debra Hall, the president of the utility, who was very convincing that the whole front page is bylaws, which aren't even set yet. He said they went through all the objections and he [Craig] walked away feeling that Kristen/South Thomaston were really nit-picking on the agreement and there is no chance of this utility to tax Cushing residents directly. The only thing they can do is to charge users who choose to have the utility. Dan said you don't have much say in it. Craig said once you join, you get a Board seat so you will have one seat like each other town will have. He said the feasibility study for Cushing is already underway and said he personally would like to join the utility but understands waiting until we see the study and go in that direction as well. He said waiting just hampers the utility's ability to use Cushing to get more ARPA/other funding and from what he has heard Cushing is particularly interesting because of the number of underserved people we have. Dan asked how long before the study is finished. Craig said this fall. Dan thought that was pretty vague. Craig felt they were being intentionally vague because they don't know how long it'll take. He felt probably October/November. Martha said she felt he was saying he feels they would be better to join it sooner than later for fundraising. She said her thought is that since we are not on the same page as our attorney before we make a decision is there a third independent expert we could go to for an opinion. Craig said he didn't know who that would be. He felt the bigger towns that are in it already would have had their attorneys look it over too, so he felt those towns could be a third opinion. He said he doesn't personally know anyone in the other towns but asked if we might have a contact with Thomaston, adding they actually went against one of their attorneys. Craig said he put up objections and the Town overrode them. Craig said at our Special Town Meeting in June, the town unanimously voted to join this utility, but to allow the Select Board to join the utility which is key. Craig agreed with Martha and that finding a third party to speak to is a good idea. Martha mentioned Kara George, Town Manager at Thomaston might be a good contact. Dan said he knows her very well and can talk to her. Craig said he just wanted to inform the Board that they're not going to change the agreement for any individual town because they want to move ahead. Craig said he could speak with Rockland's City Manager, too.

6b. Update on Maine Municipal legal question

ACTION: none taken

Discussion: Craig said he sent out the letter and everyone saw the response from MMA and Kristen; he said he had nothing else to say but asked how the Board felt. Dan said the question was answered now we need to move on. He said there's not conflict of interest so move on. Martha asked if the answer was given to the person who asked. Lisa said yes, he has got it. Craig said it's also in public record.

6c. Curtains for the gym

ACTION: none taken

Discussion: Alton said he went over and got prices from Barnes; he said he was surprised that we didn't like the ones there now. Lisa said the sun went through them for a period of time when checking in voters. Alton asked if things could be rearranged. Lisa said set up has to be a certain way for elections. Dan said you could still turn your chairs and the way you sit a little bit. Lisa said we still need more curtains but will think about it. He said that is the first time they've ever had a complaint about the sun coming through them enough to bother. Alton said the price was roughly \$550 per curtain for the four windows, including removing old ones and replacing with new ones. Alton said he would be coming tomorrow to measure and check it out.

7. New Business:

7a. Open bids for town truck

ACTION: none taken

Discussion: Alton said there were none received. Lisa said she knew of someone interested but not willing to pay the minimum. Alton said he had someone hot on it from Augusta, but it never turned out. He said he also knew a couple others, but they don't want to pay nothing for it. Alton asked what to do now. Craig said we want to get rid of it, he asked about redoing it with a minimum of \$10,000. Tracey asked if it has to be bid on or if it can just be listed for sale. Dan thought it would be a shame to just give it away. Lisa reminded all can be accepted or rejected. Craig wondered if it would get more popular as it gets closer to snow season. Alton suggested waiting until October. Lisa said it is free to put it out to advertise. Craig said just put it out for sale, with some type of price. Alton said the couple guys interested someone will buy it and then someone else will say well I would have given that for it and that's what we're going to get into. Dan suggested just posting for sale at \$15,000 or make an offer. The Board agreed

7b. Town of Thomaston/Knox Health Clinic grant support

ACTION: none taken

Discussion: Martha said she put this on here as it was something that came in and asked if we want to send a letter of support to this. She said they're talking about putting a small clinic in the Thomaston municipal building; she added they serve people who don't have insurance or are underinsured. She said there are people out there who just can't afford insurance. She said they have volunteers, nurses, doctors, and therapists and serve those who need it. She said all they are looking for from us is a letter saying we support this idea. Craig asked if this is for Knox County ARPA funds, Martha confirmed. Dan

felt it was a good thing and said there are a lot of people who truly need it. Martha said this can help some issues with office spacing, too. *The Board signed the letter of support.*

7c. ARPA Funds

ACTION: Selectperson Dan Staples made a motion, seconded by Tracey Bally, to appoint Craig Currie authorized Representative for the Maine Local Fiscal Recovery Program

Discussion: Craig brought up the letter they go saying we should take these funds even if we end up not using them because we are at least due the interest. He thought we had like four years to spend it, and everyone is waiting for guidance, but said MMA is urging everyone to take the funds. Lisa asked if it should be in an actual separate bank account, or in the general fund with a separate ledger account is okay. Dan said things have gone to the general fund with a separate general ledger with grants and stuff in the past. Craig felt having the general ledger would have enough paper trail, tracking of funds.

Motion Carried 4-0-1, Craig recused himself

7d. Community Service

ACTION: none taken

Discussion: Lisa said there was an email from Bonnie Morris-Hardman that her grandson Forest Hooper is looking to do some community service. Lisa thought Dan was going to contact Steve Stimpson regarding that. Dan said a year ago he offered some help to get gym cleaned and set up for Town Meeting but wondered if there was some miscommunication. Dan said there are some small things that could be done. Dan said he would reach out to Steve. Lisa said someone else had asked about roadside. Lisa confirmed they can do it on their own but would have no one to sign off on that. Dan said we can't do that as we don't have insurance to cover that. He recommended there should be at least one adult per two kids and they should wear safety vests. Lisa said no one would be able to sign off on hours in that case. The Board agreed. Dan said he would reach out to Bonnie. Craig also suggested giving Wendy Roberts contact info as she may have some things in the library if we get more kids reaching out.

8. Comments from Citizens: Dan asked [as a citizen] if we already paid the warrant bill to Jimmy Kalloch. Lisa said no because he was waiting to have the paving done. She felt the Board would want that done before the check was mailed out. Alton said Jake was supposed to do it a couple weeks ago, but something came up and then it rained so he's not sure when they'll be able to get it done. Dan just wanted to make sure they follow protocol and didn't pay until the work was done. He also noted a lot of lien discharge payments. Lisa said it is the same amount (\$19) to file and to discharge liens. Laura June asked if there was any update on the violations with the wharf on Cottage Lane. Dan said they can't speak on that as once it's been turned over to the Code Enforcement Officer, they're not allowed of authorized to speak on it. Laure then confirmed it has been turned over to the CEO. Dan answered most definitely. She wanted to make a side comment that they had heard the shoreline code does not define commercial activity in a specific manner. She said it's not specific about what's allowed in shoreline, and she asked if anyone else finds that ambiguous. Dan said he feels it does define it, he said talking in general, the whole town, yes it does and there was a reason some things were put in there years ago to protect the working waterfront in residential areas. Stacey Murphy spoke up saying she owns the wharf in question and wants to come in and have a moment to say she has had an opportunity to read through the minutes and the discussions that have been had on this from the Select Board and citizens and there's been some misrepresentation and what concerns her the most is there has been a lot of conversation about her property, but no one has asked her questions, ever. She said at one point Juliette Laaka did send a letter to them and provided them with some information; she said it was a nice letter,

but none of the things that are in the current notice or talked about with the attorneys were ever brought to her. She said she was a little taken back by the formal approach to this that she has an attorney letter with very short timeframes and penalties, etc. She said the reality is that we purchased a property and let things continue as they were, actually in a lesser capacity; things been occurring for six years at this point. She said we were given warranty deeds and property disclosures, etc. that indicated things were okay. She said that bugs her, it's not on anyone here, but we had no reason to believe that anything was being done wrong with the property. She stated they are pretty reasonable people, and we just want to comply with the regulations and ordinances and that's the reality. She said if someone had just come to us and had a conversation about that, we would have done that. She said we're at the point now where attorneys are involved and that's what it is. She said status of where are with it, the attorneys are working at extending the deadlines in case anyone has questions about that. She said we were going to file an appeal through the town but your [Town's] attorney said we do not need to do that. She said she is working directly with my attorney about that and verbally extended the time frame on the phone Friday of last week. She said those things are being actively worked on to rectify the situation. She added they have asked Travis to vacate the property. She said she thinks that is the core of all of it, the violations are symptoms and the means to an end and the issue was people wanted Travis to leave the property. She doesn't feel their neighbors care about a shed or a road or any of those things; she thinks they just want Travis to leave the property. She again said she has asked him to vacate the property and their attorneys are working on a timeline for that adding he has been there for six years and feel they need to be respectful of that and give him the time to properly move his business. She said as far as commercial activity he hasn't been exchanging goods on that wharf since July and their understanding of the definition of commercial activity is exchanging goods and that hasn't been occurring. She said the tank is permitted, the Fire Marshall inspected it, and all of that was done two months ago. The army core of engineers approved the main house; she said she has been actively working on things since May when this originally came up and added she has learned an awful lot about things she never thought she would know. She said she wanted to show up today because she feels her husband and herself have been misrepresented in this as well, as they were intentionally trying to do something wrong and that was never the case. She said there was also a mention that they have profited significantly over this and said she would be happy to show you the bank records; she said Travis has paid us \$3,600 in one year just so everyone knows, there is no \$30-50,000. She said the reason Travis didn't pay anything significant is because he has repaired our property. She said for this last year he has taken care of their property in full and has been there more than she has, so he is the principal resident of our property at this time. She said there is no profit aside from he keeps her house safe; if there's a tree down in the yard he's taking care of it, if the road has a problem, he's fixing it. She said she just wanted to present that information, so everyone knew where they stood. She said she's happy to answer any questions, even if her attorney wouldn't like it. Dan said he feels as though right now we shouldn't make any comments. He added he appreciates her comments but feels as though the Board shouldn't respond. Laura June introduced herself as a neighbor and said she has nothing personally against Travis nor does she want him out so that is not correct, she said it is the business entity that is disturbing their lives. Dan felt they were welcome to discuss it, but the meeting is going to end.

9. Adjourn

ACTION: Chairperson Alton Grover made a motion, seconded by Dan Staples, to adjourn at 6:44 p.m.

Motion Carried 5-0-0

Respectfully submitted,

Samantha Jones
Recording Secretary