

**TOWN OF CUSHING
SELECTMEN MEETING
November 24, 2008
CUSHING COMMUNITY CENTER**

Selectmen Present: Alton Grover, Peter Haviland, Robert Stackpole, and Robert Worthing.

Staff Present- Town Clerk , Lisa Young

Board approved Warrant #51 & #52

The meeting was called to order at 6:00 PM.

Peter Haviland motioned, Robert Worthing seconded, to approve the November 10, 2008 minutes as written. The motion passed.

Board Approved 5-0-0

Additions and changes to the agenda

The Town Clerk announced that the SAD #50 office has contacted her to inform her that on January 20, 2009 there will be an election from 10:00- 8:00 to elect a new member to the Regional School Unit. The Town of Cushing will have one member representing Cushing.

Randy Robbins motioned, Robert Stackpole seconded, to appoint Rita Furlow member of the Ordinance Committee to fulfill Judy Knowltons term which will expire March of 2011. The motion passed.

**Board Approved 4-0-1
Robert Worthing abstained**

Unfinished Business

Selectman Robert Stackpole passed out a copy of an e-mail he had sent to MMA requesting answers to four questions concerning the authority of the Chairman or any board member to alter or make decisions on their own without approval from the Board of Selectmen. MMA could not give any legal advice due to MMA represents the Board of Selectman as a whole, but if the Board of Selectmen made a request they could reply. Selectman Robert Stackpole presented a letter for the Board to sign making a request to MMA Legal Services to answer the four questions Selectman Robert Stackpole had asked. Selectman Robert Worthing stated that before he signed the letter he wanted to make sure that there is support from all members. He noted that he has a problem with the wording of the questions because they are open to interpretation. Robert Stackpole asked the Board if they wanted to know if what they are doing is legal. He stressed that if we have a Board we should act as a Board and he noted that the Chairman of the Board of Selectmen is only responsible for controlling meetings and setting the agenda. Randy

Robbins noted that the Board did give some latitude to the Chairman but stressed that the Board needs to resolve this issue. Robert Worthing proposed asking MMA if the Board of Selectmen can authorize the Chairman to make executive decisions regarding Town projects in the interim between Selectmen's Meetings. Robert Stackpole motioned, Robert Worthing seconded, to add Selectman Robert Worthing's question to the list to send to Maine Municipal Association Legal Services. The motion passed.

**Board Approved 4-0-1
Alton Grover abstained**

The Board signed the letter and will have Town Clerk Lisa Young send a cover letter and e-mail the questions to Richard Flewelling from Maine Municipal Association Legal Department.

New Business

Town Clerk Lisa Young reported that a Cushing resident will donate a small refrigerator to the Town if it is something they could use. After a brief discussion the Board decided that there is no room for it in the Community Center.

Comments from Citizens

Peter Haviland motioned, Robert Worthing seconded, to enter into Executive Session pursuant to 1 M.R.S.A. § 405(6) (A) to discuss a personnel matter at 7:25 PM. The motion passed.

Board Approved 5-0-0

Robert Worthing motioned, Alton Grover seconded, to come out of executive session at 7:43 PM. The motion passed.

Board Approved 5-0-0

Robert Worthing motioned, Alton Grover seconded, to adjourn at 7:47PM. The motion passed.

Board Approved 5-0-0

Respectfully submitted,
Lisa Young
Town Clerk

