

**TOWN OF CUSHING  
SELECTMEN MEETING  
March 9, 2009  
CUSHING COMMUNITY CENTER**

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

**Staff Present-** Town Clerk Lisa Young

Board approved Warrant #9& #10

The meeting was called to order at 6:08 PM.

Peter Haviland, Randy Robbins seconded, to approve the February 23, 2009 minutes as written. The motion passed.

**Board Approved 5-0-0**

**Additions and changes to the agenda**

The Board of Selectmen signed the General Assistance Ordinance Appendixes B for the period of April 1, 2009-Sept. 1, 2009.

Selectman Robert Stackpole announced that he would like to discuss the monthly bills that the Town has received from the Towns' attorney and announced that he would like to see the litigation stop. Chairman Alton Grover noted that they all feel that way and reported that he and Robert Worthing along with Assessors' Agent Garnett Robinson are scheduled to meet on Thursday of this week to discuss the upcoming Tax Appeal hearing scheduled for March 16<sup>th</sup> and 17<sup>th</sup>. Selectman Robert Stackpole motioned, Randy Robbins seconded, to have the Town pursue the last two days of hearings and then end the litigation. Robert Worthing noted that the motion is too restrictive and proposed that they allow the State Board of Examiners to listen to the briefs so they can make a determination. He went on to say that if we are going to abandon this now all the money that has been spent is for not, and that if we are going to pursue this to a conclusion, we need to talk about other ways to end this. Selectman Peter Haviland motioned, Randy Robbins seconded, to amend the motion to state that the Board of Selectmen are very interested in pursuing the two days of the tax appeal and to hear the State Board of Examiners decision before deciding on any further legal action. No vote was taken.

Selectman Worthing informed the Board that Mr. Tower has presented a Memorandum of Agreement that supposedly gives Mr. Tower standing in the case even though Machias Savings Bank is the owner of the property. The Towns' attorney has moved for Superior Court to issue a declaratory judgment to end the case. Selectman Robert Stackpole stated that we want to be sure that we are taxing everyone fairly. Selectman Randy Robbins stressed that he feels that we do not want to win at any cost. He feels we need to do it

with integrity. The Board agreed. The Board went into a lengthy discussion on how they want to finish this litigation once and for all. They want to know the State Boards decision so they will know that everyone in Town is being taxed fairly.

Robert Stackpole withdrew his original motion and Randy Robbins withdrew his original second. Peter Haviland withdrew his motion for the amendment and Randy Robbins withdrew his second. Robert Stackpole motioned, Peter Haviland seconded, to direct Robert Worthing and Alton Grover to instruct the Towns' attorneys to proceed only with the last scheduled days of the hearing with the State Board of Property Tax Review and closing briefs. The purpose of this motion is to get a final decision from the tax appeal case. The motion passed.

**Board Approved 5-0-0**

**Unfinished Business** – There was no Unfinished Business.

**New Business**

**Silver Star Day 2009 Proclamation-** Alton will bring this back to the Board of Selectmen at the next meeting.

**Sand Shed Door/ Fire Station** – Alton announced that the sand shed door needs to be replaced due to severe rust. Alton talked with Miller and Miller and they thought it would cost around \$1000.00 to replace the rusted section, or around \$2,000.00 to replace the entire door. Peter Haviland motioned, Robert Stackpole seconded, to direct Alton to get prices from several businesses to replace the entire door. The motion passed.

**Board Approved 5-0-0**

Alton reported that last year the insurance inspector informed him that the large garage doors in the fire station are now required to have a safety mechanism in place. PDQ estimated the cost to be between \$3,200 to \$3,300 to replace everything and install the required mechanism. Millsy's Garage Door from Warren felt that the motors would not need to be replaced and estimated the cost to be \$607.50. Robert Stackpole motioned, Peter Haviland seconded, to direct Chairman Grover to have Millsy's Garage Door install the required safety mechanism as written in the estimate. The motion passed.

**Board Approved 5-0-0**

**Comments from Citizens-** No comments.

Selectman Robert Stackpole motioned, Chairman Alton Grover seconded, to adjourn at 7:15PM. The motion passed.

**Board Approved 5-0-0**

Respectfully submitted,  
Lisa M. Young  
Town Clerk

