

**BOARD OF SELECTMEN  
PUBLIC HEARING MINUTES  
COMMUNITY ROOM  
Beginning @ 6:00 PM  
Wednesday, February 21, 2018**

**Item 1. Open Meeting: (Pledge).** Chairman Mike Wark called meeting to order at 6:01 PM, followed by the Pledge of Allegiance.

a. **Selectmen Present:** Mike Wark, Jody Cabot, Dale Gray

b. **Employees Present:** Lois Jones

c. **Residents Present:** Terri Wark, Lance Burgess, Gerald Jackson, Regina Jackson, Dyan McCarthy-Clark, Richard Clark, Steve DeGoosh, Cynthia Hall, Richard Dobson, George Nuite

**Item 2. Presentation of Order of Discontinuance.** Selectman Cabot read the attached memo regarding the Order of Discontinuance of the Gray Road.

**Item 3. Open Session:**

**A. Public - Supporters of the Order of Discontinuance.**

**B. Public – Opposers of the Order of Discontinuance.**

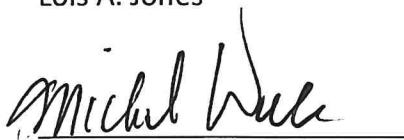
Dyan McCarthy-Clark commented that she was happy that the Board of Selectmen were doing the discontinuance process and notifying the townspeople of the intentions of the Board. She appreciated the transparency and ethical methods through this process.

No other comments, either in support or opposed, were made at this time.

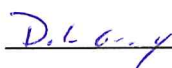
**Item 4: Adjourn.** Selectman Cabot made a motion and Selectman Gray 2<sup>nd</sup> to adjourn. All in favor.

Respectfully submitted,

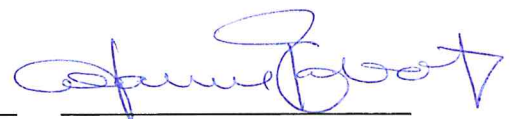
  
Lois A. Jones



Michael Wark



Dale Gray



Joanne Cabot

# **TOWN OF SANGERVILLE**

*Incorporated 1814*

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Town Manager  
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## **Sangerville Public Hearing Memo**

February 21, 2018

This board has spent countless hours researching the history of the use and maintenance of the Gray Road. Our discussions, and ultimately our conclusion, that the Gray Road is a Town Way from Flanders Hill Road to Flanders Hill Road, and how to proceed to resolve the status of [a specific portion of] the Gray Road is based solely on facts.

August 2016 marked the culmination of this project for the 2016 Select Board with that board passing a motion to rescind previous board actions from 1995 and 2013. Their intent was to make the entire Gray Rd a town way; “clearing the books”. The goal was to correct the confusion that was created by the two improper motions [1995 and 2013].

The state certified appraiser has determined that \$0 of compensation for damages is owed to the three abutting landowners impacted by this clearly defined statutory discontinuance. This previously unknown compensatory monetary amount was often cited as a concern for the previous board in their discussions regarding discontinuance.

As of today, the Sangerville select board has nearly completed the 7-step process to legally discontinue a clearly defined portion of the Gray Road according to the Municipal Roads Manual published by the Maine Municipal Association. We are completing the 5<sup>th</sup> step this evening by holding this public hearing on the order of discontinuance of [a defined portion of] the Gray Road.

Extensive due diligence that we afforded this issue has met the legal process of discontinuance.

The sole purpose of this public hearing is to notify you of our intention to move this article to a vote at Town Meeting on March 31, 2018. We welcome your comments and questions.

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Michael Wark

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Dale Gray

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Joanne Cabot

Sangerville Public Hearing, 2/17/2018  
Gray Rd

Audio map

**Meeting Date:** 4/28/16

**ITEM 5 B**

- 3:15 Ken Woodbury (**KW**) Gray road concerns
- 4:15 Dale Gray (**DG**) Seeks clarification as to the status
- 4:35 **KW**- *what we did find Monday night...* (RC meeting?)
- 4:53 **KW**- At some point this will need to go to the town
- 9:44 Melissa Randall (**MR**) *you guys pay a goodly amount of taxes...*

**MR**- *the turn around all along should have been your driveway...*

**MR**- *Money will be spent; lots of it.*

**ITEM 9**

- 42:47 **KW**- Offer from Lance Burgess (LB)
- 43:11 **LB**- made on offer at the road committee meeting...
- 46:42 Road Commissioner (**RC**) *\$4.00 per yard*
- 46:46 **TC**- *this is a road that should be maintained by the town...*
- 48:10 **TC**- *it's a town road, I think it's something the town should take care of...*
- 48:19 **MR**- *That was my thoughts too... this is really the Town's responsibility...*
- 48:53 **MR**- *I make the motion to accept...*
- 50:25 **TC**- votes nay; objects to a citizen having to donate.

**Meeting Date: 5/10/16**

**Agenda Item 3 A**

- 25:17 KW- *looking back at what status it's had ...* lays out the rationale for statutory discontinuance.
- 29:43 LB- concerned regarding 1995 & 2013 votes, contemplates that the board rescinds

**KW-** rescinding 95 & 13 will restore the road to a town way

**MR-** *the whole entire deal* (road)

- 31:32 MR- *I'm concerned that if we take any action on this ...*

**DG-** Rather than rescinding, we have to figure out how to fix what's not done.

**MR-** *We can do this work this summer.*

- 34:41 LB- Cautions the Select Board

**MR-** *I get; I get what you're saying...*

- 36:06 MR *...virtually every year... there has ditching or something has been done up there....the only part in question ...*
- 37:00 LB- Warns the Select Board

**KW-** rescinding will restore the road to a town way

**MR-** concerned about the portion of road from LB driveway *down over the hill...*

**TC-** cautions that an abutter would expect the entire road to be repaired

**MR-** *we will get it fixed this this year; everybody here is ...*

- 42:50 KW- the pole to LB driveway is not in question ...

**MR-** *The concern is beyond that point, not to LB driveway ...*

**Meeting Date: 6/09/16**

**Agenda Item 9**

- 1:19:50 KW- asks for 2200 feet of ditching
- 1:27:24 LB- Cautions the Select Board
- 1:27:50 KW – stem to stern is a town way
- 1:29:00 TC – motions for ditching

MR- seconds; passes 2/0

- 1:32:40 MR to LB – you work with KW; *too many people with their mouths, it leads to trouble...*
- =====> 1:36:17
- 1:36:38 Brent Randall (BR) – *you need to be able to drive up there*
- 1:37:05 MR – *you guys pay your taxes, you deserve a decent road to drive on*

BR – *the Road Committee feels that way too*

**Meeting Date: 8/25/16**

- 15:40 The Board rescinds
- 16:22 KW- He outlines what will need to be done as the result of taking this action.
- 16:51 KW - *ditching from a week ago*
- 17:32 MR- *they can prove that we never abandon it because it's always been plowed*
- 18:00 KW – reading legal opinion; Road Committee findings?? **Ken's files are missing....**
- 19:20 MR – *smooth, nicely ...*

MR makes motion to rescind.

# SIGN-IN SHEET

EVENT Select Board / Public Hearing

DATE 2/21/18

PLEASE PRINT

- Terri Ward
- Cynthia Hall
- Dijan McCarthy-Clark
- Richard Clark
- Richard Dobson
- Lance H. Burgess
- George Noite
- Will Jackson
- Regina "