

# Unedited Transcript/ Select Board Meeting 2-16-26

38

00:11:15.240 --> 00:11:19.559

Town of Freedom: So first, we're going to call the meeting to order at...

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00:11:19.790 --> 00:11:39.680

Town of Freedom: 10.04 a.m. I want to thank all of you for coming out. The entire Select Board really appreciates this. This has been a... a really long and at times unpleasant, time for us. We...

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00:11:39.710 --> 00:11:50.719

Town of Freedom: Recognize, the weight of this decision, which is why we call this meeting, because it's extremely important for

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00:11:50.930 --> 00:12:01.270

Town of Freedom: each of the Select Board members to hear as much public comment as possible, before we make this decision.

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00:12:01.950 --> 00:12:26.249

Town of Freedom: I am going to go down through the, the process today. What we're going to start with is... well, first, let me, describe the speaker process. When your name is called, you can come up to the microphone. Each speaker is going to get 3 minutes uninter...

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00:12:26.250 --> 00:12:32.630

Town of Freedom: interrupted. Lisa will hold up this one-minute card to give you all warning.

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00:12:32.700 --> 00:12:48.979

Town of Freedom: Please wait to be recognized before speaking. There is no pooling of time. Each person gets 3 minutes, and that's it. All comments, are directed to the select board, not to one another.

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00:12:49.470 --> 00:12:57.609

Town of Freedom: The Select Board has also received email comments, and we will be reading those throughout the process.

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00:12:58.020 --> 00:13:09.539

Town of Freedom: Everyone will have an opportunity to speak. If there's time available, then some of you, if you request an additional 3 minutes, we will allow that.

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00:13:10.370 --> 00:13:21.229

Town of Freedom: Select Board will not respond to each, presenter, except for a clarifying question or comment, and also.

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00:13:21.340 --> 00:13:35.640

Town of Freedom: unless I hear you something... sharing something that's not factual or misleading, I'm certainly going to take the opportunity to point that out, because I'm sure that what's important to all of us is that we have as much

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00:13:35.850 --> 00:13:38.080

Town of Freedom: Knowledge and facts.

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00:13:38.550 --> 00:13:41.039

Town of Freedom: Before we make any decision.

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00:13:41.700 --> 00:13:56.369

Town of Freedom: We're gonna begin by Bill, presenting the agreement, and after he does that, we will have the public hearing, time. The hearing will close, or...

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00:13:56.370 --> 00:14:04.299

Town of Freedom: The meeting will close to comments, and then the Select Board will deliberate here in front of you.

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00:14:04.520 --> 00:14:07.590

Town of Freedom: Okay, so we are going to open this up to Bill now.

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00:14:07.750 --> 00:14:12.709

Town of Freedom: This is Bill Kelly, if any of you have never met him.

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00:14:14.030 --> 00:14:25.259

Town of Freedom: Hi, everybody, I'm just, I'm negative, but I've got to go over COVID, so I'm a little scratchy. Hopefully, I'll be able to talk less than normal.

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00:14:25.500 --> 00:14:30.030

Town of Freedom: So, my name is Bill Kelly, I'm an attorney. I've been representing the town for

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00:14:30.220 --> 00:14:33.690

Town of Freedom: I don't know, 15 or 20 years now that I've represented

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00:14:34.500 --> 00:14:40.050

Town of Freedom: At the moment, 15 municipalities have been doing municipal work for 35 years.

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00:14:40.160 --> 00:14:47.380

Town of Freedom: So I've been around the block a few times, and I just mentioned that, but context is perhaps a little bit important.

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00:14:47.550 --> 00:14:54.950

Town of Freedom: In terms of who your child attorney is, and how we count to have this consent agreement before you.

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00:14:56.230 --> 00:15:03.270

Town of Freedom: Briefly, in terms of, the process, in case you all haven't read all the readings and don't know what's going on in court.

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00:15:03.380 --> 00:15:09.169

Town of Freedom: The matter's been pending. Closer? Yes. Is that better? Wow.

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00:15:09.340 --> 00:15:12.080

Town of Freedom: It's close.

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00:15:13.330 --> 00:15:14.210

Town of Freedom: Bye.

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00:15:14.530 --> 00:15:19.859

Town of Freedom: And don't worry about it when you guys have your microphone and tested negative. Got it.

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00:15:20.620 --> 00:15:26.239

Town of Freedom: So, the case started, about a year and a half, getting close to 2 years ago now.

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00:15:26.340 --> 00:15:32.120

Town of Freedom: And the gist of it is that the plaintiffs have alleged that the

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00:15:32.230 --> 00:15:36.639

Town of Freedom: Beaver Ridge Road, or Beaver Hill Road, for about a mile and a half of it.

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00:15:36.950 --> 00:15:50.900

Town of Freedom: has lost its public rights due to a couple different theories. One is called common law abandonment, and the other is a statute that talks about... there's a presumption that if a public way doesn't have

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00:15:51.000 --> 00:15:58.990

Town of Freedom: money put into it by the town, and it is impassable for particular traffic. It's about a 30-year... or a 30-year period.

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00:15:59.210 --> 00:16:01.420

Town of Freedom: Then that could be presumed abandoned.

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00:16:02.560 --> 00:16:17.209

Town of Freedom: And public rights lost. Now, it's not as simple as that. Of course, because it never is. There are various timeframes and various tests that get applied to those two concepts, common law abandonment and statutory abandonment.

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00:16:17.440 --> 00:16:19.289

Town of Freedom: And they get a little complicated.

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00:16:19.520 --> 00:16:21.999

Town of Freedom: But what they are driven by are facts.

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00:16:22.130 --> 00:16:28.419

Town of Freedom: And, the facts in this case are entirely, what drove me

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00:16:28.700 --> 00:16:33.550

Town of Freedom: where we have this document, titled the Consent Decree.

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00:16:34.160 --> 00:16:39.849

Town of Freedom: My job... Is to think about what's in the best interest of the town of all times.

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00:16:39.980 --> 00:16:50.139

Town of Freedom: And sometimes that's best interest of the town over a long period of time, not just today or next week, or who's here, and living in these homes and properties that are above this

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00:16:50.390 --> 00:16:52.009

Town of Freedom: Road right now.

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00:16:52.250 --> 00:16:57.340

Town of Freedom: That's, and I do take that fairly seriously, because

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00:16:57.880 --> 00:17:05.990

Town of Freedom: Emotions run high, actions aren't so good sometimes, and we have this moment in time where things get heightened. And that's sort of where we are right now.

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00:17:06.430 --> 00:17:08.879

Town of Freedom: Facts, facts, facts.

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00:17:09.000 --> 00:17:16.259

Town of Freedom: applied to the law. It is complicated for this case, because there are a variety of burdens of proof

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00:17:16.650 --> 00:17:18.449

Town of Freedom: Who has to prove what?

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00:17:18.720 --> 00:17:22.719

Town of Freedom: Which party? And then what does the other party have to do in return?

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00:17:23.140 --> 00:17:30.629

Town of Freedom: And unfortunately, in this area of the law, there are multiple verdicts that shift, depending on whether staff submit the evidence.

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00:17:32.160 --> 00:17:37.650

Town of Freedom: Part of the trouble we have in this case is in terms of predictability. That's really why we're here.

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00:17:38.050 --> 00:17:42.419

Town of Freedom: What can I predict, or what is most likely to happen at trial?

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00:17:43.050 --> 00:17:49.109

Town of Freedom: And part of the trouble we have with predictability is this road and its status have sort of been left.

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00:17:49.270 --> 00:18:00.349

Town of Freedom: Unattended for a long period of time, many decades, in terms of actual money and records, money being invested in it, and records that show what has been done to it.

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00:18:00.880 --> 00:18:09.760

Town of Freedom: We're also complicated because of some language in a Warren article in 1956, an important article, and I'm going to read that to you in a minute.

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00:18:10.470 --> 00:18:18.519

Town of Freedom: We're also at a disadvantage because of some communications that happened back in the early 90s from the Select Board and some of the

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00:18:19.010 --> 00:18:26.859

Town of Freedom: And it's a potpourri of, commentary in those letters. Everybody can pull out something from those letters that they like, both sides.

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00:18:27.380 --> 00:18:29.549

Town of Freedom: But nothing here is a silver bullet.

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00:18:30.070 --> 00:18:40.560

Town of Freedom: And one of the things that I have to think about in advising the select board is what makes sense in terms of absolutely securing the public easement rights

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00:18:40.800 --> 00:18:46.259

Town of Freedom: And that's how we got tickets at the greener. It's not perfect in terms of what the town might want.

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00:18:46.590 --> 00:18:51.700

Town of Freedom: It... that's why it's called an agreement, or a settlement agreement. It's not permanent.

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00:18:52.200 --> 00:18:54.980

Town of Freedom: But here's the odd thing. In this case.

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00:18:55.810 --> 00:18:57.200

Town of Freedom: There could be a winner.

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00:18:57.430 --> 00:19:00.389

Town of Freedom: There could be a loser, and there could be a draw.

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00:19:01.070 --> 00:19:02.590

Town of Freedom: And that's a little frustrating.

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00:19:02.900 --> 00:19:11.620

Town of Freedom: But the trouble, when you have as many burden shifts as occur in this case, and statutory presumptions be common on presumptions of who's got what to prove.

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00:19:11.730 --> 00:19:14.619

Town of Freedom: The trouble is, this has happened to me.

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00:19:14.910 --> 00:19:17.750

Town of Freedom: The judge can decide that none of the parties met the burden.

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00:19:17.880 --> 00:19:23.109

Town of Freedom: So we go through this process, and we reach, and we finish the hearing, we have all the witnesses.

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00:19:23.560 --> 00:19:29.300

Town of Freedom: And then we end up with a situation where the court says, 90 has met their burden. Go home.

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00:19:30.180 --> 00:19:31.550

Town of Freedom: We have no resolution.

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00:19:32.240 --> 00:19:36.539

Town of Freedom: Now... As odd as that sounds, that's how it works in court.

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00:19:37.380 --> 00:19:40.889

Town of Freedom: The party makes his claim, they've got to approve certain things.

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00:19:41.170 --> 00:19:45.470

Town of Freedom: As a counterclaim or as a defense, the town has to prove certain things.

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00:19:45.800 --> 00:19:49.879

Town of Freedom: And based on the record we have, It's not so clear.

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00:19:50.040 --> 00:19:55.640

Town of Freedom: And one of the things I'm not going to do today is place Dr. Chillin, in terms of whatever questions or comments you all might have.

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00:19:55.930 --> 00:20:02.710

Town of Freedom: I'm not going to, lay out all the warps of a town's case.

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00:20:03.170 --> 00:20:04.819

Town of Freedom: So you might say something.

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00:20:04.960 --> 00:20:06.480

Town of Freedom: And I might not respond.

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00:20:06.770 --> 00:20:23.130

Town of Freedom: And it might be something you think is important to the Court. You didn't look at this, you didn't look at that, you didn't look at this piece of evidence. One of the reasons I'm not going to respond is, in the event that the Select Board decides that they do not want to enter into this consent agreement, I'm not going to lay out the town's defense here in public.

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00:20:23.530 --> 00:20:28.679

Town of Freedom: So, that may leave you a little frustrated, but this is an unusual process, where we're here in Pollock.

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00:20:28.960 --> 00:20:31.370

Town of Freedom: But I still may have a prone case.

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00:20:31.700 --> 00:20:34.250

Town of Freedom: And obviously, I want to do that to the best of my ability.

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00:20:37.760 --> 00:20:48.439

Town of Freedom: So those are the main, concepts, and then, you know, I guess the main, really main concept is why you enter into a consent agreement, and it's very simple. You do it to eliminate the risk at trial.

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00:20:48.620 --> 00:20:50.800

Town of Freedom: And you do it because you get a definite result.

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00:20:51.640 --> 00:20:56.519

Town of Freedom: And that's what you have before you, is what would be a definite result. Know exactly what the situation is.

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00:20:56.810 --> 00:21:03.960

Town of Freedom: If we had less hostility, if we had less conflict in the past, we might not have some of the language in there that is put in there to

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00:21:04.180 --> 00:21:08.459

Town of Freedom: Avoid the likelihood of hostility and conflict in the future.

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00:21:08.720 --> 00:21:14.050

Town of Freedom: It's in there because it was necessary to get to this point. It's not perfect.

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00:21:14.320 --> 00:21:16.209

Town of Freedom: But what is important

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00:21:16.410 --> 00:21:24.019

Town of Freedom: And put a big red line under this is that this consent agreement preserves the public right of way.

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00:21:24.290 --> 00:21:25.529

Town of Freedom: As a public user.

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00:21:26.000 --> 00:21:29.049

Town of Freedom: That's not a small concept, because you could go to trial.

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00:21:29.510 --> 00:21:35.599

Town of Freedom: And the judge decides that we haven't met certain burdens of proof for either one of these two causes of action.

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00:21:35.860 --> 00:21:39.349

Town of Freedom: Then the court could find that there's no public use.

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00:21:39.850 --> 00:21:41.230

Town of Freedom: Public rights is erode.

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00:21:41.590 --> 00:21:44.230

Town of Freedom: And I think it's highly unlikely that the Town of Freedom

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00:21:44.460 --> 00:21:46.199

Town of Freedom: At some point in the future.

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00:21:48.610 --> 00:21:50.990

Town of Freedom: Would you like me to translate that word?

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00:21:51.910 --> 00:21:58.070

Town of Freedom: You didn't hear that. It's highly unlikely that the,

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00:21:58.320 --> 00:22:02.450

Town of Freedom: The town is going to go through remed process if this case is lost.

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00:22:02.880 --> 00:22:04.199

Town of Freedom: Hang on one second.

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00:22:06.320 --> 00:22:10.530

Town of Freedom: It was a family matter, and I apologize to all. That's okay. Did you turn it off?

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00:22:10.730 --> 00:22:16.129

Town of Freedom: That's one thing, everybody could just turn your phones off, because sometimes you forget to do that.

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00:22:16.660 --> 00:22:22.100

Town of Freedom: So securing the public easement is very important for the future, for future generations.

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00:22:22.430 --> 00:22:25.450

Town of Freedom: And that's my point about that.

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00:22:25.650 --> 00:22:32.720

Town of Freedom: Let me just describe briefly how we got to this document, because it has been a very, specific and deliberative process.

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00:22:32.970 --> 00:22:37.130

Town of Freedom: The process involves what's called mediation.

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00:22:37.550 --> 00:22:44.349

Town of Freedom: And mediation is required by the court. So what happens is the lawsuit starts, and we have to go and engage with the right party.

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00:22:44.480 --> 00:23:01.469

Town of Freedom: In this case, it was a fellow named Derward Parkinson, very experienced municipal attorney who now specializes in doing mediations in municipal cases. I have a lot of respect for Derward. He's done a lot of cases like this, and he's respected throughout the state. So he was our guide, so to speak, in terms of

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00:23:02.260 --> 00:23:05.699

Town of Freedom: going through this process where we went to Augusta, we met them twice.

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00:23:06.040 --> 00:23:12.420

Town of Freedom: Attending X, and, as the plaintiffs, and work our way through to this document.

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00:23:12.770 --> 00:23:20.839

Town of Freedom: In terms of an outline at that meeting, and then it came into... got fleshed out over what were essentially about 2 months of drafts back and forth.

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00:23:21.420 --> 00:23:32.520

Town of Freedom: And that's how the mediation process works. It is harder to do that in many ways, and it's harder for this board to get up here and have this conversation with you than to just sit in the hell of it and go find a case.

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00:23:32.800 --> 00:23:37.149

Town of Freedom: But that's not a very responsible way to behave in terms of the select board.

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00:23:37.960 --> 00:23:46.289

Town of Freedom: do understand the facts, do understand the law, and have had, you know, they've been neck deep in a lot of issues that I have to discuss with them. There are pluses and minuses.

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00:23:46.480 --> 00:23:50.630

Town of Freedom: In terms of the Townes case, pluses and minus, in terms of the Havinian's case.

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00:23:51.270 --> 00:23:58.220

Town of Freedom: So, we've gone through that process, we've reached this document after many drafts, and that's where we are.

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00:23:59.290 --> 00:24:08.020

Town of Freedom: I think... And that's really the gist of what I wanted to say in terms of the outline.

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00:24:08.250 --> 00:24:11.429

Town of Freedom: Of how we got to this... this place.

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00:24:11.700 --> 00:24:17.519

Town of Freedom: I'll mention a couple other things, just so...

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00:24:17.920 --> 00:24:20.789

Town of Freedom: And they're obvious, I think, in many respects.

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00:24:22.190 --> 00:24:23.999

Town of Freedom: We talk about the...

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00:24:24.340 --> 00:24:37.149

Town of Freedom: Or you might talk about the... among yourselves, about this area of road, the Beaver Ridge Road, of about a mile and a half, as if it's a single entity, and all the facts that can all apply to this road equally every inch of the road.

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00:24:37.940 --> 00:24:45.890

Town of Freedom: And I think that's... and that's not true. It's one of the things that we have to think about in this case, is there is a section of the road

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00:24:46.140 --> 00:24:52.269

Town of Freedom: Up by the Sibley Road that was, damaged in 1954-ish.

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00:24:52.620 --> 00:24:59.480

Town of Freedom: And that section of the road has some issues in terms of, Passability.

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00:25:00.230 --> 00:25:03.429

Town of Freedom: And the condition of that road.

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00:25:03.760 --> 00:25:10.260

Town of Freedom: And ever since I've been in Freedom, because this will go back a ways, I'll say about 15 years ago.

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00:25:10.780 --> 00:25:17.419

Town of Freedom: I've been aware of, and there's been discussion about the fact that when folks go up to Beaver Ridge Road from the Greeley Road.

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00:25:18.190 --> 00:25:20.390

Town of Freedom: There has been a period of time when they've

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00:25:22.070 --> 00:25:32.679

Town of Freedom: use, Ron Price's, fields and gone through, when they got to this section of the Beaver Ridge Road up by the Sibley Road, about 1,500 feet, and gone over onto Ron's property.

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00:25:33.150 --> 00:25:42.260

Town of Freedom: For access. Now, not everybody has done that, but it's a significant issue in terms of the different sections of this road that have different uses and different amounts of use.

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00:25:42.720 --> 00:25:48.500

Town of Freedom: And that's a factor that has to be considered in this consent decree. It's just the way the facts were presented in court.

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00:25:48.770 --> 00:25:51.109

Town of Freedom: It's not the same,

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00:25:51.330 --> 00:25:55.989

Town of Freedom: It's not the same situation or things as the way it's been used for the entire length of the road.

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00:25:56.740 --> 00:25:58.089

Town of Freedom: And that's been a factor.

174

00:25:58.370 --> 00:26:01.040

Town of Freedom: Alright, so let me go through the document.

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00:26:01.340 --> 00:26:05.650

Town of Freedom: And... before I do that, One just talks about when...

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00:26:08.850 --> 00:26:12.789

Town of Freedom: One thing that's important, which is in 1956,

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00:26:14.530 --> 00:26:24.109

Town of Freedom: The Warren article is passed, and the language of the Warren article is confusing. And it's a seminal document in this case, and one of the reasons we're here talking about a settlement.

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00:26:24.880 --> 00:26:29.270

Town of Freedom: Because, it's hard to tell exactly what it did.

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00:26:29.540 --> 00:26:35.379

Town of Freedom: The first part of the Warren article says that, the town was going to discontinue certain

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00:26:35.530 --> 00:26:36.970

Town of Freedom: Talent ways.

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00:26:37.290 --> 00:26:39.169

Town of Freedom: That's what it says, talent ways.

182

00:26:39.910 --> 00:26:43.999

Town of Freedom: And it says it's going to retain a public way, right?

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00:26:44.690 --> 00:26:51.510

Town of Freedom: Now, it didn't say it was going to retain a public use, it didn't say it was going to retain recreational rights, it didn't say anything other than calling

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00:26:52.090 --> 00:26:54.980

Town of Freedom: Discontinuing a town wave and keeping the power wave.

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00:26:55.160 --> 00:27:01.690

Town of Freedom: Not the language that the law necessarily recognizes to explain to us exactly what happened in that 1956 vote.

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00:27:02.160 --> 00:27:04.820

Town of Freedom: So the language, in that...

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00:27:06.790 --> 00:27:09.559

Town of Freedom: And that discontinuance vote is important.

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00:27:09.800 --> 00:27:15.880

Town of Freedom: Because it triggers certain other rights that I won't get into, but... Basically, it's a possibility that...

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00:27:16.140 --> 00:27:20.040

Town of Freedom: Typically, public easement rights would be retained.

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00:27:20.640 --> 00:27:27.510

Town of Freedom: Meaning the town alone would have an obligation to maintain the Beaver Ridge Room, but it could maintain the Beaver Bridge Room if it wished to.

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00:27:27.720 --> 00:27:31.750

Town of Freedom: That's the context of, typically of a discontinuance vote.

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00:27:32.070 --> 00:27:35.779

Town of Freedom: And public visa could be retained. But that's not how it was worded.

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00:27:35.940 --> 00:27:43.949

Town of Freedom: But more importantly, one of the reasons this matter is reduced to a second degree decree is trying to figure out what exactly

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00:27:44.250 --> 00:27:45.640

Town of Freedom: It was discontinued.

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00:27:45.750 --> 00:27:51.680

Town of Freedom: And that gets back to my point about certain parts of the oil are treated, perhaps will be treated differently by the court.

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00:27:52.340 --> 00:27:56.059

Town of Freedom: What the 1956 discontinuance order says

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00:27:56.160 --> 00:28:03.250

Town of Freedom: is that it was going to be discontinued from Bogie Ward's house, Two, a discontinued road.

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00:28:04.450 --> 00:28:06.020

Town of Freedom: on Beaver Hill.

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00:28:07.240 --> 00:28:13.120

Town of Freedom: We can't find any discontinued road up there that it was... Explain to us.

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00:28:15.450 --> 00:28:17.959

Town of Freedom: What's the endpoint? What was discontinued?

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00:28:19.220 --> 00:28:21.060

Town of Freedom: Now, without getting into a lot of...

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00:28:21.350 --> 00:28:25.790

Town of Freedom: detail, it's confusing. One of the problems with that is we don't know where that...

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00:28:26.010 --> 00:28:29.010

Town of Freedom: legal act in 1956 applied to.

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00:28:29.520 --> 00:28:30.389

Town of Freedom: We haven't.

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00:28:30.550 --> 00:28:34.490

Town of Freedom: Period. Which we... provided to the board.

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00:28:34.670 --> 00:28:37.860

Town of Freedom: For the purpose of demonstrating issues of fact.

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00:28:38.510 --> 00:28:43.600

Town of Freedom: In the context of the summary adjustment function. It's a little complicated to consider, and that's what it is.

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00:28:44.370 --> 00:28:52.559

Town of Freedom: So that's another factor in terms of, a 1956 discontinuance warrant article, that...

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00:28:53.370 --> 00:28:55.640

Town of Freedom: As with the rest of the reputant's case.

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00:28:55.800 --> 00:28:58.759

Town of Freedom: Leaves a lot to be desired in terms of clarity.

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00:28:59.000 --> 00:29:00.130

Town of Freedom: micro clarity.

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00:29:00.600 --> 00:29:01.760

Town of Freedom: Leads to risk.

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00:29:02.080 --> 00:29:04.030

Town of Freedom: Risk leads to uncertainty of trial.

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00:29:04.200 --> 00:29:06.450

Town of Freedom: Certain trial meets the consent decree.

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00:29:07.080 --> 00:29:09.580

Town of Freedom: That's how that... that equation plays out.

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00:29:11.620 --> 00:29:18.070

Town of Freedom: So... Thought it was important to at least give you some sense of some of the major issues.

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00:29:18.430 --> 00:29:23.419

Town of Freedom: That are... part of the consideration of certainly myself and the select board.

218

00:29:23.930 --> 00:29:28.229

Town of Freedom: So, looking at this document called the Consent Decree for Beaver Ridge Road.

219

00:29:29.040 --> 00:29:35.109

Town of Freedom: The way it would work is it would be introduced into the court record after it was signed by the town and the defendants.

220

00:29:35.580 --> 00:29:40.780

Town of Freedom: And, of course, all parties and interests would have copies of it to be presented with it as well.

221

00:29:42.270 --> 00:29:55.600

Town of Freedom: And then the idea is that the judge can sign this, and once the judge signs this, then this becomes the law of the Beaver Ridge Road, because the superior court judge has the authority to do that, by statute, and also by common law.

222

00:29:57.890 --> 00:30:01.320

Town of Freedom: The gist of this document is...

223

00:30:01.780 --> 00:30:07.779

Town of Freedom: Essentially, guidelines of use of the road would be for a road in question, and it would be,

224

00:30:07.950 --> 00:30:10.879

Town of Freedom: Presented in some form of kiosk.

225

00:30:11.680 --> 00:30:17.330

Town of Freedom: At both ends of the road, it's in dispute, so that people who use the road sort of know what the rules of the road are.

226

00:30:17.870 --> 00:30:26.480

Town of Freedom: As a matter of clarity, as a matter of having public record, and also, just generally good sense to explain to people what's going on.

227

00:30:27.550 --> 00:30:33.340

Town of Freedom: The document itself starts with the fact that it references that there are disputes in terms of,

228

00:30:34.100 --> 00:30:36.250

Town of Freedom: The party's positions as to the case.

229

00:30:36.750 --> 00:30:44.010

Town of Freedom: And then it goes on page 2, in the general narrative, to indicate that the Select Board vote

230

00:30:44.190 --> 00:30:46.630

Town of Freedom: Back in February of 2024.

231

00:30:47.830 --> 00:30:49.970

Town of Freedom: 25, sorry.

232

00:30:51.620 --> 00:31:00.370

Town of Freedom: when it found that there was a public easement, is superseded by this document. That, of course, is necessary, because the document's going to be the rules of the road.

233

00:31:01.910 --> 00:31:03.800

Town of Freedom: Getting into the weeds a little bit.

234

00:31:03.930 --> 00:31:17.710

Town of Freedom: February 2025. Why did the select board vote with it as it did? And the reason is, it was addressing a public hearing we had about rights, uses of the roads that the public attended. Many of you, I'm sure, were there.

235

00:31:19.100 --> 00:31:27.050

Town of Freedom: That vote was in the context of the authority of the Select Board to make that kind of determination prior to the Superior Court acting in the

236

00:31:27.890 --> 00:31:30.689

Town of Freedom: continue on with spiritual force is just regiment.

237

00:31:31.010 --> 00:31:37.730

Town of Freedom: supersedes. We just need that clear in this... you know, this, period.

238

00:31:38.080 --> 00:31:43.880

Town of Freedom: One other thing about that, just so you understand. The context of that vote for February of 2025,

239

00:31:44.900 --> 00:31:48.189

Town of Freedom: Was it that the plaintiffs had just filed a motion for summary judgment?

240

00:31:48.440 --> 00:31:53.639

Town of Freedom: And... There was no particular deliberation by the select board.

241

00:31:54.130 --> 00:32:00.580

Town of Freedom: in terms of making the filing that there was a public easement. It was stated because it was going to be consistent with our filing.

242

00:32:00.810 --> 00:32:04.400

Town of Freedom: To demonstrate that there were genuine issues of material fact, and that the

243

00:32:05.840 --> 00:32:12.700

Town of Freedom: the public easement remained. So, in a way, the vote of the Select Board really had no substantive discussion.

244

00:32:12.990 --> 00:32:16.650

Town of Freedom: About what had been presented at the public hearing.

245

00:32:16.800 --> 00:32:26.389

Town of Freedom: It was, in effect, a conclusion, a legal conclusion, that was necessary to be consistent to deal with the filings that had just been made in the Supreme Court. Either way.

246

00:32:26.500 --> 00:32:30.340

Town of Freedom: The important takeaway here is, the spirit, or...

247

00:32:31.100 --> 00:32:45.859

Town of Freedom: has jurisdiction. This consent decree is the final word. We didn't want any confusion in terms of people looking back at that public... of that vote by the select board in February of 2025, and made it clear that it was superseded, which is appropriate.

248

00:32:48.490 --> 00:32:55.140

Town of Freedom: Getting into the specifics of, the number of paragraphs, and they begin on the third page.

249

00:32:57.410 --> 00:33:03.519

Town of Freedom: As it says, in recognition of the uncertainty for all parties as to what a reasonable fact-finder could conclude.

250

00:33:03.900 --> 00:33:09.259

Town of Freedom: Based on the state of the historical records and expected conflicting expertly testimonies.

251

00:33:09.450 --> 00:33:15.910

Town of Freedom: desire to avoid future litigation and costs, recognizing the value to all Freedom residents of an agreed-upon resolution.

252

00:33:16.140 --> 00:33:19.310

Town of Freedom: These... the parties stipulate to the following things.

253

00:33:19.720 --> 00:33:31.299

Town of Freedom: One was that the Beaver Ridge Road question that we're talking about is going to be the entire area that is disputed, about 1.5 miles, and there's a map attached to this consent decree.

254

00:33:31.550 --> 00:33:43.599

Town of Freedom: But it's the entire length of what is disputed. And there's no dispute that there are public... at least public easement rights from a Greeley Road to this portion that's disputed, so we're not going to talk about

255

00:33:43.880 --> 00:33:52.079

Town of Freedom: between the disputed portion of the Bigger Ridge Road and the Greeley Road, that the public rights there are not in question, that they exist.

256

00:33:53.110 --> 00:34:02.760

Town of Freedom: This second paragraph describes what it is, and it is what was taken, we believe, in 19... sorry, in 1823. It's three rods wide.

257

00:34:04.420 --> 00:34:06.290

Town of Freedom: You need to understand the product.

258

00:34:07.340 --> 00:34:12.699

Town of Freedom: Need to understand that it's, Ayy.

259

00:34:14.610 --> 00:34:19.279

Town of Freedom: combination of two things. There's an east loop that's 3 runs wide, and then there's a travel path.

260

00:34:20.000 --> 00:34:24.500

Town of Freedom: And the travel path is described in the document, it would be 15 feet wide.

261

00:34:24.639 --> 00:34:27.089

Town of Freedom: Or point any other road you think about a town.

262

00:34:27.350 --> 00:34:31.570

Town of Freedom: When you have a traveled wave, and you have an easement that exceeds the width of the traveled wave.

263

00:34:32.790 --> 00:34:36.860

Town of Freedom: The land underneath Beaver Ridge Road has been privately held.

264

00:34:37.210 --> 00:34:38.899

Town of Freedom: Ever since the road was laid out.

265

00:34:39.409 --> 00:34:42.439

Town of Freedom: It's something that people don't tend to understand.

266

00:34:42.850 --> 00:34:44.719

Town of Freedom: Public roads do not hold.

267

00:34:44.900 --> 00:34:48.610

Town of Freedom: As if you own your The town doesn't own.

268

00:34:48.810 --> 00:34:52.470

Town of Freedom: Rights in every... in the ground under every road.

269

00:34:52.889 --> 00:34:58.120

Town of Freedom: To the contrary, most of the time, and I mean, like, 95% of the time.

270

00:34:58.610 --> 00:35:01.759

Town of Freedom: All public roads are owned by abundant property owners.

271

00:35:01.890 --> 00:35:02.860

Town of Freedom: That's right.

272

00:35:03.460 --> 00:35:06.770

Town of Freedom: And then those property rights, those private rights are deferred.

273

00:35:06.880 --> 00:35:08.750

Town of Freedom: With the right of the public to travel up the road.

274

00:35:09.400 --> 00:35:14.449

Town of Freedom: And, this is the same as that. So this paragraph 2 just explains that we have

275

00:35:14.650 --> 00:35:19.560

Town of Freedom: As in all town roads, private land burned by a public use.

276

00:35:22.020 --> 00:35:23.580

Town of Freedom: Paragraph 3.

277

00:35:23.700 --> 00:35:25.459

Town of Freedom: Talks about,

278

00:35:30.910 --> 00:35:32.140

Town of Freedom: The fact that we have.

279

00:35:32.780 --> 00:35:38.280

Town of Freedom: Some conflicting statements in the 90s, and one of the things that's interesting, you know.

280

00:35:38.450 --> 00:35:44.430

Town of Freedom: odd way about this case is the 1956 article about discontinuance was...

281

00:35:45.090 --> 00:35:47.530

Town of Freedom: At that time, Red Vitcheil was a Slack Board member.

282

00:35:47.930 --> 00:35:51.330

Town of Freedom: 90s better to be still a celebrity.

283

00:35:51.470 --> 00:35:52.970

Town of Freedom: And,

284

00:35:53.450 --> 00:35:59.499

Town of Freedom: There's various correspondence that comes out of Red Mitchell that both supports and does not support the existence of public easement.

285

00:36:00.300 --> 00:36:10.639

Town of Freedom: Well, he was one of the people who was involved in the 1956 foreign art, so it does add to the confusion of what exactly was intended in 56, and what would they think of the 1959.

286

00:36:13.280 --> 00:36:20.350

Town of Freedom: There's a sentence at the bottom, paragraph 3 that the defendant, meaning the town, does not disputing the fact that the plaintiffs acted reasonably.

287

00:36:20.740 --> 00:36:29.229

Town of Freedom: One of the things, from my perspective in this case, is I don't really have any interest in animosity or any interest in poor behavior.

288

00:36:29.350 --> 00:36:32.910

Town of Freedom: And then any of this preservative poor behavior or punishing it.

289

00:36:33.330 --> 00:36:40.229

Town of Freedom: My role as the town attorney is to make sure that the rights are secured for the future, and personalities are taken out of them.

290

00:36:40.930 --> 00:36:47.949

Town of Freedom: this many sentences, the last sentence or paragraph, meaning that they just thought was important. I personally don't think it's important.

291

00:36:48.550 --> 00:36:50.570

Town of Freedom: We can all decide what you can say about that.

292

00:36:55.260 --> 00:36:58.580

Town of Freedom: Area 4 outlines the actual,

293

00:37:00.900 --> 00:37:13.759

Town of Freedom: the way in which the road is to be used. And, obviously, the first section is going best for motor vehicle, including but limited to ATVs and snowmobiles, provided snowmobiles may cross the disputed portion of the road.

294

00:37:14.000 --> 00:37:26.569

Town of Freedom: At locations designated by snowmobile clubs, FSS clubs have obtained written permission for the relative landowners. That's pretty much typical, in terms of, private landowners authorizing

295

00:37:26.710 --> 00:37:37.459

Town of Freedom: So we don't use, clubs will lay out whatever they will lay out, and as long as the parties on both sides of this road are okay, as normally is the case, then snow will be able to cross the road.

296

00:37:38.200 --> 00:37:41.550

Town of Freedom: The use of the,

297

00:37:42.400 --> 00:37:55.439

Town of Freedom: easement is limited to pedestrian traffic, bicycles, snowshoeing, horseback riding, cross-country skiing. That speaks for itself. The idea being that, in terms of what is preserved for the future.

298

00:37:56.020 --> 00:38:05.810

Town of Freedom: about 90% of what people use it for, or whatever percentage you want to use, but in terms of maintaining the public basement and being clear as to what the uses will be in the future, that's what paragraph C does.

299

00:38:07.150 --> 00:38:11.609

Town of Freedom: Paragraph B, has to do with,

300

00:38:12.020 --> 00:38:17.149

Town of Freedom: No use of a disputed portion of the road between 1 hour after sunset and 1 hour before sunrise.

301

00:38:17.610 --> 00:38:27.509

Town of Freedom: In other words, this is a use provision that's relatively consistent with what you would see with recreational trails held by conservation groups throughout the state of Maine.

302

00:38:27.830 --> 00:38:34.600

Town of Freedom: Or other areas of town, that may have, certain day towns I work in have such kinds of,

303

00:38:35.950 --> 00:38:43.820

Town of Freedom: Comment and restriction of use, just because it maintains an understanding of who's going through at what time.

304

00:38:44.110 --> 00:38:51.880

Town of Freedom: There is a provision here that was added to allow groups, if they wish, to do night walks, as you will see.

305

00:38:52.150 --> 00:38:57.400

Town of Freedom: It's a little bit organized, involves notice to the town, and to the plaintiffs.

306

00:38:57.700 --> 00:39:03.830

Town of Freedom: But that's all it is. And you can go do whatever you want at night in terms of stargazing or looking for owls.

307

00:39:04.750 --> 00:39:12.040

Town of Freedom: Paragraph E is no hunting on or from the road, which is difficult with every public easement in Okay.

308

00:39:14.170 --> 00:39:14.950

Town of Freedom: Yep.

309

00:39:15.220 --> 00:39:18.709

Town of Freedom: Well, they're going out on someone else's private property who gives you permission.

310

00:39:20.210 --> 00:39:30.879

Town of Freedom: Paragraph F, no electronically enhanced sounds from speakers or boo boxes. One of the things we'd like to avoid. One of the things that was important to the plaintiffs is, by getting this resolved, we're not going to have somebody with an idea.

311

00:39:31.040 --> 00:39:34.600

Town of Freedom: Go show up and stand in the right-of-way and blast me into somebody's house.

312

00:39:37.790 --> 00:39:43.329

Town of Freedom: No tampering with personal property of a budding, landowners. States the obvious.

313

00:39:43.670 --> 00:39:46.890

Town of Freedom: Can't do that anyway. Oh, littering. Okay.

314

00:39:47.380 --> 00:39:53.570

Town of Freedom: Both drones or other divisive methods which would violate the privacy of a buttons. Seems reasonable, and again.

315

00:39:53.900 --> 00:40:07.610

Town of Freedom: to avoid the problem of once the public easement is established, somebody decides they think they're going to be clever and have some more poor behavior, and stand there and have a drone into somebody's house for no good reason, while standing in the right way. You can't make a move, it's a public easement.

316

00:40:07.930 --> 00:40:11.430

Town of Freedom: And, now I've got my drone, so...

317

00:40:12.060 --> 00:40:16.570

Town of Freedom: These are plaintiff's issues, they weren't offered by the town, but they weren't objected to either.

318

00:40:16.970 --> 00:40:26.870

Town of Freedom: As far as animals, no unleashed domestic animals, except for animals under strict voice commands, so if your dog is well-behaved and you do that for your dog, you can...

319

00:40:28.070 --> 00:40:29.799

Town of Freedom: off, or above leaching.

320

00:40:30.450 --> 00:40:34.459

Town of Freedom: One of the issues is there are multiple animals that do live,

321

00:40:34.820 --> 00:40:45.209

Town of Freedom: On either side of the road, so if you're within 300 feet of a residence, we're gonna avoid dogs chasing each other and disturbing the residents, and have them,

322

00:40:45.400 --> 00:40:47.850

Town of Freedom: On a lease within 300 feet of a residence.

323

00:40:48.480 --> 00:40:52.520

Town of Freedom: Paragraph K, no activity which could be a crime of the main law, states the obvious.

324

00:40:53.010 --> 00:40:57.500

Town of Freedom: I just wanted it in there, it didn't change anything, it's a non...

325

00:40:58.610 --> 00:41:04.389

Town of Freedom: consequential provision from my perspective. No loitering within sight of residences. Again.

326

00:41:04.560 --> 00:41:12.940

Town of Freedom: The law's the law. If somebody's loitering in a public way, you're gonna call the Sheriff's Department and ask them whatever you're gonna ask them to do, they'll probably tell somebody to move along.

327

00:41:17.960 --> 00:41:29.640

Town of Freedom: You're going to use property protector on them. People who use the easement are going to do so at their own risk. They're not gonna be able to sue the property owners in case they get injured. Same thing if somebody falls in the street in front of your house.

328

00:41:29.850 --> 00:41:36.629

Town of Freedom: So... The only difference here is that The extent that,

329

00:41:36.930 --> 00:41:47.550

Town of Freedom: The plaintiffs, the idiot, have done something to the road to create a danger, then they have to warn about it, and they can't take any unlawful actions either.

330

00:41:48.000 --> 00:41:50.020

Town of Freedom: Again, stating the obvious.

331

00:41:50.530 --> 00:41:55.620

Town of Freedom: No one should have used it was prohibited by a court order. They gave me out, yes.

332

00:41:55.750 --> 00:41:59.330

Town of Freedom: It's important to plaintiffs, but when we matter to be, it's the obvious.

333

00:42:00.440 --> 00:42:01.290

Town of Freedom: Oh.

334

00:42:01.520 --> 00:42:08.089

Town of Freedom: Nothing in the consent decree shall limit or permit the right of plaintiffs or interested parties from seeking a no trespass order from the Sheriff's Office.

335

00:42:08.350 --> 00:42:18.049

Town of Freedom: Which would basically be if somebody's leaving these and going onto your property. Well, again, stating the obvious, anybody can do that, you can all do that, it's not a good size, they want to leave the public easement when they come onto your property.

336

00:42:18.390 --> 00:42:20.910

Town of Freedom: Did it need to be in there?

337

00:42:21.140 --> 00:42:28.150

Town of Freedom: From a legal perspective, I don't think so. Was it important that the plaintiffs get... to get to this point? Yes, so it's in there.

338

00:42:30.650 --> 00:42:38.260

Town of Freedom: Paragraph 5, the town is going to maintain the easements, and the parallel surface to be 15 feet wide.

339

00:42:38.780 --> 00:42:54.449

Town of Freedom: And it will involve whatever needs to be done. It may change the location over time, as is true with sort of rustic, public easements like this. You've got a 33 block-wide easement, which is about 40 feet.

340

00:42:55.050 --> 00:42:56.970

Town of Freedom: whether it's...

341

00:42:57.560 --> 00:43:04.110

Town of Freedom: A drainage problem, whether it's an erosion problem, whatever it might be, in terms of why this path might have to shift one way or the other.

342

00:43:04.250 --> 00:43:10.199

Town of Freedom: As it gets maintained, could be... something happens to the tomato trees, or whatever.

343

00:43:10.370 --> 00:43:15.039

Town of Freedom: Falling down. The point is, it's a 15-foot wide trail of path.

344

00:43:15.300 --> 00:43:26.889

Town of Freedom: And, whatever needs to be done to maintain it, can be done. It's not to be paved, and it's not to be improved like a, regular brown road all the way up through there.

345

00:43:27.090 --> 00:43:29.240

Town of Freedom: As you might imagine, it's,

346

00:43:30.670 --> 00:43:36.679

Town of Freedom: It was not going to fly in terms of reaching this consent agreement to simply say that, you know, you can pave that

347

00:43:37.230 --> 00:43:39.580

Town of Freedom: from the, he will come.

348

00:43:41.470 --> 00:43:43.880

Town of Freedom: Pave the entire section of the,

349

00:43:44.930 --> 00:43:49.460

Town of Freedom: disputed portion of the discontinued, starting of the Beaver Ridge Road.

350

00:43:49.940 --> 00:43:55.979

Town of Freedom: So it basically is going to continue as it looks in terms of the, the way that it's maintained by the 10.

351

00:43:56.100 --> 00:43:58.050

Town of Freedom: And that's the town's decision to make.

352

00:44:03.050 --> 00:44:14.050

Town of Freedom: Program 6 says that the use facility is sole public rights within a disputed portion of the road. Those of you who own property abiding the road, again, you have the right.

353

00:44:14.180 --> 00:44:20.489

Town of Freedom: As a private property owner, give all of your property use, which would be typically to the center line of the road for either side.

354

00:44:20.930 --> 00:44:27.669

Town of Freedom: And this doesn't prohibit you from doing whatever you do on your private property, on both sides of the road.

355

00:44:28.170 --> 00:44:37.420

Town of Freedom: As long as it doesn't interfere with the public rights, and as long as it doesn't damage the road, you can do those things as the private property owners.

356

00:44:42.310 --> 00:44:47.870

Town of Freedom: Paragraph 7, either party agrees not to publicly slander or defame the other.

357

00:44:48.250 --> 00:44:52.250

Town of Freedom: I'm grabbing something married to the leapage. Well, that makes sense.

358

00:44:53.020 --> 00:44:54.270

Town of Freedom: Where do I mean?

359

00:44:56.090 --> 00:45:01.749

Town of Freedom: This is where the order's going to be posted in the town office and posted on the town's website.

360

00:45:02.920 --> 00:45:04.870

Town of Freedom: Paragraph 9.

361

00:45:05.840 --> 00:45:07.650

Town of Freedom: Parties are gonna cooperate.

362

00:45:08.500 --> 00:45:09.790

Town of Freedom: Not a bad idea.

363

00:45:10.470 --> 00:45:14.879

Town of Freedom: They're gonna record the consent decree and the Registry of Deeds, and...

364

00:45:15.010 --> 00:45:19.759

Town of Freedom: The parties will install signage that will essentially put the world on notice of what

365

00:45:20.340 --> 00:45:24.470

Town of Freedom: abuse are as described in this Court Consent Creative.

366

00:45:26.550 --> 00:45:41.410

Town of Freedom: Paragraph 10 is a, prior to initiating any court action for violations of the decree, one party's gonna give notice to the other. They're going to have an opportunity to cure that. This is pretty typical, in terms of, neither person... neither party's running off to court.

367

00:45:41.530 --> 00:45:47.750

Town of Freedom: proactively I'm gonna go get a TRO, whatever. It causes more legal expense without us.

368

00:45:47.900 --> 00:45:49.710

Town of Freedom: Unnecessary legal expense.

369

00:45:50.130 --> 00:45:54.260

Town of Freedom: So, it's a pure opportunity in terms of any bad behavior.

370

00:45:55.020 --> 00:45:55.920

Town of Freedom: Oh.

371

00:45:56.370 --> 00:46:04.539

Town of Freedom: Paragraph 11, if I'm in the town of the Adidiacs, violated provision, they're gonna pay the cost and the attorney's fees to the other party.

372

00:46:04.700 --> 00:46:08.960

Town of Freedom: So we have a mechanism to enforce the charge. We have some normalcy.

373

00:46:09.500 --> 00:46:12.230

Town of Freedom: Well, we do have normalcy, we don't have bad behavior.

374

00:46:12.420 --> 00:46:13.530

Town of Freedom: Continuing.

375

00:46:16.040 --> 00:46:29.669

Town of Freedom: And attorney's fees can be awarded, again, if there is bad behavior. It's done by the court. I hope we're not going to be going down that road any further, but there we have to keep in the agreement in terms of enforceability.

376

00:46:29.780 --> 00:46:32.399

Town of Freedom: Paragraph 12, both parties pay their legal fees.

377

00:46:32.600 --> 00:46:39.419

Town of Freedom: There's no... town's not paying for this public use, they're not paying them any money. They're not paying the town any money.

378

00:46:39.880 --> 00:46:42.670

Town of Freedom: February of, 13.

379

00:46:43.600 --> 00:46:48.030

Town of Freedom: There is, requirement of, removal.

380

00:46:48.430 --> 00:46:53.060

Town of Freedom: In court of the existing claims, internal claims that are going to be dismissed.

381

00:46:53.530 --> 00:46:59.510

Town of Freedom: And that includes the lawsuit pending against Heather Donahue, which is great.

382

00:47:01.790 --> 00:47:03.250

Town of Freedom: Please don't interrupt.

383

00:47:04.880 --> 00:47:09.780

Town of Freedom: They're not a party to this, so you can keep your case if you wish.

384

00:47:10.980 --> 00:47:11.760

Town of Freedom: Oh.

385

00:47:12.400 --> 00:47:13.909

Town of Freedom: with the details of the match.

386

00:47:14.080 --> 00:47:14.950

Town of Freedom: Oh.

387

00:47:18.870 --> 00:47:34.130

Town of Freedom: And then the parties release each other, in terms of any claims for, as you will see there, for torts, defamation, obstruction, nuisance, otherwise. We're basically making clear that we're cleaning the slate. We're not going to have this consecutive period and then have the same claims brought tomorrow and the next day.

388

00:47:34.760 --> 00:47:37.830

Town of Freedom: And then it won't be appealed at us, it will be a final document.

389

00:47:38.210 --> 00:47:43.029

Town of Freedom: So, there you go. The good, the bad, and the ugly. I endorse it.

390

00:47:43.540 --> 00:47:48.970

Town of Freedom: about the reasons I've described, and we'll be very clear about that. If the selected board votes, if they don't want to do this.

391

00:47:49.150 --> 00:47:56.980

Town of Freedom: that won't affect what I do at all. I will continue to prosecute the case, have the case, vigorously, which is my nature.

392

00:47:57.170 --> 00:48:00.970

Town of Freedom: And that, unless there's anything else, is all I have.

393

00:48:02.910 --> 00:48:08.929

Town of Freedom: Thanks, Bill. I do have a clarifying question to something that you just said.

394

00:48:09.980 --> 00:48:15.709

Town of Freedom: And if I heard you correctly, it's the first time that I guess I've realized this.

395

00:48:15.870 --> 00:48:31.869

Town of Freedom: Did you just say that even if we sign this, that if we sign this, and even though, the general public cannot use motorized vehicles up there, that the plaintiffs and the abutting landowners can?

396

00:48:31.990 --> 00:48:41.990

Town of Freedom: Because it's their private property, as long as they don't damage the easement. So, they're allowed to use vehicles on that road?

397

00:48:44.170 --> 00:48:50.929

Town of Freedom: Right, so it's fairly typical, as you might imagine, in beginning. If, let's say, Ron Price buys out

398

00:48:51.550 --> 00:48:53.380

Town of Freedom: all the Bennett family property.

399

00:48:53.540 --> 00:49:01.590

Town of Freedom: and, decides to, take a tractor, or a truck, or an ATV, from one side to the other. Sure, you can do that.

400

00:49:03.830 --> 00:49:09.919

Town of Freedom: Okay, so I'm going to apologize to the residents who asked me just this past week

401

00:49:09.920 --> 00:49:33.900

Town of Freedom: if the restrictions within this consent decree apply to the plaintiffs as well. And I assumed that the plaintiffs wouldn't be able to use a four-wheeler or access their property with tractors or anything that they wanted to. I thought that this applied to them as well.

402

00:49:34.020 --> 00:49:41.770

Town of Freedom: So, I'm sorry if I told you that. So, before we get going,

403

00:49:42.350 --> 00:50:01.910

Town of Freedom: Bill is right. He is here, to represent us, and as far as our risk goes, I am here to represent you. I see it in a whole different way, and while we can recognize

404

00:50:01.910 --> 00:50:16.499

Town of Freedom: the financial risk in this, because the plaintiffs have certainly, shown us, the financial risk. I am also listening,

405

00:50:16.580 --> 00:50:29.570

Town of Freedom: to everything that perhaps Bill described as emotional, because... and he doesn't need to do that. I do, and I recognize this, because I recognize that for a lot of you, you see this as your road.

406

00:50:29.570 --> 00:50:41.380

Town of Freedom: And... and I recognize that some of you may think, that the monetary, cost of this at this time might be worth it. So,

407

00:50:41.470 --> 00:50:53.099

Town of Freedom: I do want to say that our, our representations may come a little bit, from different angles, and I just wanted to point out as well as,

408

00:50:53.720 --> 00:51:18.070

Town of Freedom: I... this consent decree, for myself didn't come to be because of risk of trial. I recognize all along that Bill, informed us that we... we had a good case. However, you never know, what a certain judge may do when he's sitting there, but rather this decree

409

00:51:18.070 --> 00:51:21.310

Town of Freedom: came to being because

410

00:51:21.420 --> 00:51:40.590

Town of Freedom: of the risks and the cost, that we have incurred, up to this point. And we listen to residents and their concern with the cost, and I'm sure, that you're going to ask more questions about that, and if not, you will... you'll hear about that during our deliberation.

411

00:51:41.650 --> 00:51:42.919

Town of Freedom: Start by calling.

412

00:51:43.660 --> 00:52:00.120

Town of Freedom: So, at this point, we're going to open the public hearing part of the meeting. We had sign-up sheets in the back, we still do, so if you haven't signed up yet and would like to speak, we're just going to go down the list, like we said before, and call you in order.

413

00:52:00.120 --> 00:52:08.060

Town of Freedom: What I'll do is... Would you like to ask questions of Bill about the legality? Not at this time.

414

00:52:10.770 --> 00:52:23.540

Town of Freedom: I thought Bill said that if he... that he... if he didn't, I thought that Bill said that he thought it might affect, our case going forward, so just choose not to answer. Thank you, thanks.

415

00:52:24.280 --> 00:52:32.459

Town of Freedom: I had a legal question about what he just said. Oh, well, I would wait until... maybe you get called on, okay?

416

00:52:33.000 --> 00:52:51.790

Town of Freedom: What I will do is, name the next three people, so if you're coming up next, you at least have a little... a little bit of a heads up. So, we're gonna start with Lynn Hedeniak, then Tyler Hedeniak, and then Kyle Hedeniak. So, Lynn, you can come up to the speaker, you'll let,

417

00:52:51.790 --> 00:52:54.940

Town of Freedom: 3 minutes for the one-minute warning.

418

00:52:55.110 --> 00:52:56.130

Town of Freedom: Thank you.

419

00:53:04.440 --> 00:53:07.710

Town of Freedom: There's a button so you can find it.

420

00:53:08.480 --> 00:53:10.560

Town of Freedom: You think so? Hello? Hello?

421

00:53:11.640 --> 00:53:21.070

Town of Freedom: It is a portable mic if you want to take it out, or adjust the height.

422

00:53:21.590 --> 00:53:35.630

Town of Freedom: Okay, and if you could leave it where it was... Well, that's okay, that'll still be in there. Yep, she's fine. I just didn't want to be on my better side to... That's right, we're also trying to report it, so... I did not intend to be the first, but...

423

00:53:35.780 --> 00:53:53.719

Town of Freedom: I did not intend to be the first to speak, but I did want to break the logjam so that other people would feel comfortable signing up. My point in being here is only to make sure that those of you who may not have been up Beaver Road in a while.

424

00:53:53.970 --> 00:54:06.589

Town of Freedom: Yeah, I'm a little nervous. Beaver Ridge Road, in a while, understand the part of the road that we're talking about. This has nothing to do with the part of the road for ease of reference.

425

00:54:07.050 --> 00:54:08.700

Town of Freedom: Prior to the mailboxes.

426

00:54:09.300 --> 00:54:13.370

Town of Freedom: So, if you live on that part of the road prior to the mailbox.

427

00:54:13.550 --> 00:54:20.639

Town of Freedom: not affect you. If you walk your dog up to the mailboxes and turn around, it does not affect you.

428

00:54:20.810 --> 00:54:29.770

Town of Freedom: This has only to do with a point, as I understand it, and it's shown on this map, which, from my see very well.

429

00:54:29.990 --> 00:54:34.239

Town of Freedom: But it starts with what's here, the red line.

430

00:54:34.430 --> 00:54:36.659

Town of Freedom: And that red line

431

00:54:37.070 --> 00:54:49.709

Town of Freedom: Starts at a place back in 1997, when we moved here, that until we moved here and built the road from here to about here, didn't exist.

432

00:54:50.160 --> 00:55:02.109

Town of Freedom: So, this part, from below the mailboxes is prescribed to mailboxes, and then you go up a little bit, you pass the Lawrence House on your left.

433

00:55:02.290 --> 00:55:07.409

Town of Freedom: right after the Warren's house, which used to be the Woods' house, Becky Woods' house.

434

00:55:07.520 --> 00:55:13.140

Town of Freedom: You go down, though, a little bit. On the left is a gentleman by the name of Otto.

435

00:55:13.620 --> 00:55:15.630

Town of Freedom: I just want to make sure everybody can hear me.

436

00:55:15.960 --> 00:55:22.309

Town of Freedom: a gentleman who owns property on the left, and he's aided. It's... his name is Pottle, Dave Pottle.

437

00:55:22.580 --> 00:55:27.500

Town of Freedom: Right before that, on the right-hand side, is a snowmobile trip.

438

00:55:27.750 --> 00:55:35.240

Town of Freedom: Which you can see, this time of year. That's this yellow... thank you. That's this yellow line here.

439

00:55:35.420 --> 00:55:38.360

Town of Freedom: So, it's from there.

440

00:55:38.520 --> 00:55:42.019

Town of Freedom: The intersection of that yellow trail is what it is.

441

00:55:42.240 --> 00:55:48.489

Town of Freedom: And what was just a path, a logging path, when we bought the property.

442

00:55:48.630 --> 00:56:07.449

Town of Freedom: In which we built a road. I didn't do it, and I think it's not that good, but we hired somebody to put a road in, and we also paid CMP to put power poles up. And we only did that up to the point where my son and his wife and my granddaughter lived right now, which is...

443

00:56:08.060 --> 00:56:09.460

Town of Freedom: Here.

444

00:56:10.260 --> 00:56:15.630

Town of Freedom: That's the only... that's the only real road. The rest of this...

445

00:56:15.790 --> 00:56:18.119

Town of Freedom: is what we call the grass trail.

446

00:56:18.360 --> 00:56:25.330

Town of Freedom: And that's a walkable, sometimes, and it's not swamped, rainwater, walkable path.

447

00:56:25.650 --> 00:56:29.580

Town of Freedom: Nobody's ever been able to get a car or a truck through there.

448

00:56:35.790 --> 00:56:37.820

Town of Freedom: Yes, ma'am. Yes.

449

00:56:39.780 --> 00:56:42.490

Town of Freedom: He can pop that mic out, too, if you want to.

450

00:56:51.460 --> 00:56:52.669

Town of Freedom: Morning, select board.

451

00:56:53.220 --> 00:56:56.150

Town of Freedom: Good morning, Bill.

452

00:56:57.670 --> 00:57:00.170

Town of Freedom: You can just pop it right out of the holder.

453

00:57:06.230 --> 00:57:09.159

Town of Freedom: There we go.

454

00:57:15.330 --> 00:57:19.170

Town of Freedom: Okay, morning to you all, and good morning to everybody.

455

00:57:20.200 --> 00:57:32.890

Town of Freedom: I do just want to reinforce the many things in this consent decree that I like. I do want to reinforce one aspect reflected in many provisions, and that is the finality of it.

456

00:57:33.030 --> 00:57:39.519

Town of Freedom: and what I'll just call the future proofing of it. Both things which, in my opinion.

457

00:57:39.660 --> 00:57:44.609

Town of Freedom: You would not get in an order by a judge after a contested hearing.

458

00:57:45.050 --> 00:57:47.179

Town of Freedom: first one, the one that I think

459

00:57:47.280 --> 00:57:50.440

Town of Freedom: To be reassuring to everybody, is that

460

00:57:50.680 --> 00:57:56.999

Town of Freedom: No one here has an incentive to abuse the provisions of this order.

461

00:57:57.650 --> 00:58:00.990

Town of Freedom: The plaintiffs and the interested parties, the abutters.

462

00:58:01.320 --> 00:58:09.580

Town of Freedom: Have the authority to issue no trespass orders, otherwise just generally seek court action against those who violate the easement.

463

00:58:09.710 --> 00:58:17.000

Town of Freedom: But if we are found to have abused that discretion, We're... we're out of luck.

464

00:58:17.310 --> 00:58:31.070

Town of Freedom: We have to pay the... we have penalties, we have fees we would need to pay to the town. The town could bring an enforcement action against us. Ultimately, in the end, at no cost, the town.

465

00:58:31.320 --> 00:58:32.610

Town of Freedom: I don't think that's...

466

00:58:32.720 --> 00:58:39.010

Town of Freedom: a kind of provision you would see. It's not generally one we see in court orders, at least I don't see in court orders.

467

00:58:39.510 --> 00:58:42.070

Town of Freedom: Encourages everyone to be on their best behavior.

468

00:58:43.600 --> 00:58:51.120

Town of Freedom: Another provision is that both parties, both sides, plaintiffs, the butters... the town.

469

00:58:51.360 --> 00:58:58.770

Town of Freedom: have an obligation to not slander or defame anybody regarding this litigation. That would be a nice change of pace.

470

00:58:59.550 --> 00:59:02.310

Town of Freedom: Plant some fidelity to the issue.

471

00:59:04.030 --> 00:59:07.570

Town of Freedom: All legal claims related to this subject matter would be dropped.

472

00:59:07.800 --> 00:59:10.860

Town of Freedom: That we're not going to be back here in 20 years.

473

00:59:11.050 --> 00:59:12.919

Town of Freedom: Litigating this road again.

474

00:59:13.320 --> 00:59:21.510

Town of Freedom: You have the opportunity to put to rest a dispute that has long existed And,

475

00:59:21.940 --> 00:59:24.109

Town of Freedom: No one wants to see it happen again.

476

00:59:25.680 --> 00:59:35.100

Town of Freedom: Bill mentioned the warning requirement of any alleged violation. He is exactly right. It would avoid reflexive litigation by both sides.

477

00:59:37.310 --> 00:59:43.439

Town of Freedom: It also discourages that kind of irresponsible action and conduct that landed us in this situation.

478

00:59:43.820 --> 00:59:45.260

Town of Freedom: And then finally.

479

00:59:45.720 --> 01:00:01.309

Town of Freedom: I do want to emphasize for everybody that this consent decree does only apply to this particular portion of Beaver Ridge Road. It does not affect any other road in town. It does not affect any other road in Maine.

480

01:00:01.610 --> 01:00:06.140

Town of Freedom: It may be persuasive for other cases, but it is not presidential at all.

481

01:00:06.580 --> 01:00:08.769

Town of Freedom: But I do just want to reinforce that.

482

01:00:09.830 --> 01:00:23.869

Town of Freedom: I brought this map today. I printed it yesterday at Staples. I'm not really going to use it, but I figured it was about time everyone looked at the same map when talking about this problem. So it's here for anybody's use. Thank you.

483

01:00:24.500 --> 01:00:25.380

Town of Freedom: Hey.

484

01:00:25.990 --> 01:00:42.029

Town of Freedom: Thank you, Tyler. I'm just kind of disappointed in those moments. I'm just going to point out something. Of course, you know, slander and, defaming someone, well, that's to tell a lie, right?

485

01:00:42.220 --> 01:00:47.770

Town of Freedom: And that is something that the Select Board, wouldn't do.

486

01:00:48.240 --> 01:01:02.469

Town of Freedom: But I do want to say that, what was a bit different, which has been removed, is, to, it was first requested that there be no, disparagement.

487

01:01:02.580 --> 01:01:27.440

Town of Freedom: And, I think that that's probably what you're referring to, Tyler, when you say it would be a good, you know, a good change, because I don't think anyone on the board ever slanders or, defames, but we certainly do point out the truth, so I just wanted to make that correction. And also, so are you saying, that if somebody continually,

488

01:01:27.440 --> 01:01:29.579

Town of Freedom: Let's their animals poop?

489

01:01:29.580 --> 01:01:38.519

Town of Freedom: and they don't pick it up, that you're not going to enforce this, with a no trespass order? I just want to...

490

01:01:41.340 --> 01:01:51.250

Town of Freedom: The provision in the order is that the feces must be removed from the travel origins. That's not removing the entire instrument, it's just that large numbers of people would want to

491

01:01:51.360 --> 01:01:55.890

Town of Freedom: People would ride bicycle, etc. That's not to suggest to

492

01:01:56.390 --> 01:02:00.300

Town of Freedom: Take a booth with you, you know, throw it in your backpack, take it with you.

493

01:02:00.590 --> 01:02:04.890

Town of Freedom: Kick it off inside, so other people love the definition of getting inside.

494

01:02:05.500 --> 01:02:06.380

Town of Freedom: Thank you.

495

01:02:07.180 --> 01:02:14.200

Town of Freedom: So, Kyle is next, and then, Heather Donahue, and then Meredith Coffin.

496

01:02:16.040 --> 01:02:17.040

Town of Freedom: Hello, everyone.

497

01:02:17.520 --> 01:02:24.620

Town of Freedom: My name is Claude Vidiak, I'm one of the plaintiffs. Thank you all for coming out today, no matter where on this issue you stand.

498

01:02:24.850 --> 01:02:30.890

Town of Freedom: I work in a municipal government myself, so I appreciate public participation, and it's really important.

499

01:02:31.330 --> 01:02:38.919

Town of Freedom: This consent decree does not mean one side wins and one loses. It's a compromise, which means either side gets exactly what they want.

500

01:02:40.090 --> 01:02:48.859

Town of Freedom: It's a compromise that the town's attorney has recommended. It's a compromise a third-party mediator has recommended. Why, then, wouldn't you accept this decree?

501

01:02:49.030 --> 01:02:57.240

Town of Freedom: I think an objective person, considering nothing but the facts, would find his consent decree reasonable and appropriate for this town.

502

01:02:57.310 --> 01:03:10.660

Town of Freedom: For the town and the public is to create guarantees permanent access to Beaver Ridge Road as a public easement. For my family living on the road, it provides the peace and safety we sought when my grandparents and my parents moved here 30 years ago.

503

01:03:11.230 --> 01:03:27.460

Town of Freedom: Thank you, Select Ford, for the work you do on behalf of my hometown. Approving this decree will be a defining action of your time on the board. True leadership is not found in the relentless pursuit of a total victory, but in the wisdom to recognize when a compromise serves the stability of the entire community.

504

01:03:28.040 --> 01:03:37.689

Town of Freedom: We stand at a crossroads where we can choose to be governed by the ghosts of a decade-old dispute, or we can choose to be the architects of a lasting solution.

505

01:03:38.910 --> 01:03:49.759

Town of Freedom: There is a significant difference between the letter of the law and the spirit of justice. The law might allow us to fight until a town's coffers are empty, and fight until we win, which I am prompting.

506

01:03:49.980 --> 01:03:57.400

Town of Freedom: But justice demands that we find a middle ground where a resident can still walk a path, and our family can still find peace in their home.

507

01:03:57.510 --> 01:04:02.050

Town of Freedom: Let us choose a path that leads out of the program and back into the community. Thank you.

508

01:04:09.260 --> 01:04:19.170

Town of Freedom: Hello, most of you know me, I'm Heather Donahue, formerly of the Select Board, and I live on Beaver Ridge Road, and I have 3 minutes, so let's speak plainly about what this consent decree does.

509

01:04:19.210 --> 01:04:27.049

Town of Freedom: It voids this Board's February 24th, 2525 determination under 23 MRS 3028. Oh, sorry.

510

01:04:27.050 --> 01:04:44.709

Town of Freedom: It voids the Select Board's determination, which was, in fact, Mr. Kelly's entire motion to dismiss was predicated on the jurisdiction to dismiss lying with the Town and 3028A. So why he would now present a consent decree to void that decision is perplexing to me.

511

01:04:45.250 --> 01:04:52.159

Town of Freedom: The decree does not coexist with your vote, it erases it. It declares void and superseded in its entirety.

512

01:04:52.360 --> 01:05:04.819

Town of Freedom: A statutory determination reached after public hearing is being set aside, not by applicant review, not by judicial finding after trial, but by negotiated agreement in executive session behind closed doors. That should give you pause.

513

01:05:05.190 --> 01:05:19.800

Town of Freedom: The board found that public easement remained, including vehicular access. This decree eliminates motorized use, it bans parking, it restricts use after dark, it imposes conduct limits that narrow the scope of what the town just determines survives.

514

01:05:19.830 --> 01:05:25.579

Town of Freedom: That is not preserving the easement. It is contracting it beyond practical use and is...

515

01:05:25.580 --> 01:05:40.429

Town of Freedom: This level of policing by contempt of court is unprecedented on main roads. I called... I called all of the land trusts, etc. This is unprecedented, this level of policing by the plaintiffs that this consent decree hands over.

516

01:05:40.770 --> 01:05:49.000

Town of Freedom: Be clear about the exchange. To end litigation, the town agrees to fewer public rights than it concluded legally exist.

517

01:05:49.220 --> 01:06:01.720

Town of Freedom: Now consider the environment in which this is happening. The same parties pressing for this decree are simultaneously suing residents, including me, over speech and participation related to this road. That's why I will not have my case dismissed without adjudication.

518

01:06:01.840 --> 01:06:05.509

Town of Freedom: I am currently being sued for speaking about a public easement.

519

01:06:05.750 --> 01:06:15.899

Town of Freedom: This is the most litigious family in town, and you are giving them police powers over this road. That is not a personal aside. It reflects the pressure dynamics surrounding this dispute.

520

01:06:15.900 --> 01:06:27.660

Town of Freedom: When litigation against individual speakers runs alongside demands to void a public vote, the signal to the community is obvious participation carries risk. That's why a lot of people that are here today aren't going to speak.

521

01:06:28.290 --> 01:06:39.700

Town of Freedom: And now consider where this case actually stands. In December 2024, the court made clear that the burden rests with the plaintiffs to prove extinguishment, and they have not done that, and I say they cannot do that.

522

01:06:39.700 --> 01:06:54.800

Town of Freedom: The town has already expended public funds for summary judgment, and the motion for summary judgment should stand, a survey should be had, and then you can revisit this consent decree, because I assure you, it will be with very different terms.

523

01:07:09.770 --> 01:07:10.750

Town of Freedom: This one?

524

01:07:10.880 --> 01:07:14.830

Town of Freedom: Okay. My name's Meredith Coffin.

525

01:07:15.630 --> 01:07:20.409

Town of Freedom: I just want to, after Meredith, there will be Nancy Farah and David Farah.

526

01:07:21.030 --> 01:07:22.570

Town of Freedom: Just fancy.

527

01:07:24.030 --> 01:07:35.409

Town of Freedom: Okay? Okay. So, bottom line, if folks are going to continue to live together in this small town.

528

01:07:35.570 --> 01:07:51.320

Town of Freedom: Here is freedom. I feel it's important that no one can say, I won or you lose. We are people living in this same town, and we have a future together. And we need to find a way to heal.

529

01:07:52.250 --> 01:08:04.780

Town of Freedom: And to find a way to accept, and I believe no one wants to remain bitter or angry, and I certainly see that around, and I'd like to... to... to help put that aside.

530

01:08:05.490 --> 01:08:13.949

Town of Freedom: This decree is presented as a good resolution to the ongoing litigation, and I honor that all three select board members

531

01:08:14.090 --> 01:08:17.249

Town of Freedom: As well as the plaintiffs have worked in good faith.

532

01:08:18.160 --> 01:08:27.200

Town of Freedom: I believe that, and that you worked hard and with care to put this together, and that you were demonstrating a shared goal of resolving

533

01:08:27.569 --> 01:08:37.929

Town of Freedom: this issue, and now I feel it's the time to accept, to share that compromise. And it's not going to be easy for anyone, obviously, we've been hearing this.

534

01:08:38.149 --> 01:08:57.409

Town of Freedom: For all the reasons, stories, and memories that have been shared for many months, but those are shared stories that add to our freedom's own story. And we need to move on. No one wins, no one loses, and no one is real happy, and that is okay, and let's be grown up about it. Thank you.

535

01:09:06.109 --> 01:09:09.929

Town of Freedom: After Nancy, it'll be, Marianne Bennett and David Bennett.

536

01:09:13.710 --> 01:09:16.960

Town of Freedom: start my time when I get here. I will.

537

01:09:18.470 --> 01:09:26.749

Town of Freedom: I'm really here to... address the mobility, issue I see with all of this agreement.

538

01:09:26.890 --> 01:09:31.839

Town of Freedom: Myself, having recently become

539

01:09:32.160 --> 01:09:40.840

Town of Freedom: pretty immobile. I could never access any part of this road without some sort of a motorized vehicle.

540

01:09:41.140 --> 01:09:44.250

Town of Freedom: So I think it's putting a lot of restrictions

541

01:09:44.399 --> 01:09:49.730

Town of Freedom: On those of us that are older and that have disabilities.

542

01:09:50.140 --> 01:10:06.510

Town of Freedom: I don't see that it's addressed anywhere. I also don't see where the parking issue has been addressed, in that a lot of the older people who might want to walk the trail are... where are they going to park their vehicles?

543

01:10:06.510 --> 01:10:10.699

Town of Freedom: It doesn't seem like there's any provisions made for that.

544

01:10:10.820 --> 01:10:21.649

Town of Freedom: I also, myself, find all of this pretty restrictive. I don't like to take sides, but I wanted to know whether the select board

545

01:10:21.830 --> 01:10:26.230

Town of Freedom: Had any input in all of these,

546

01:10:26.440 --> 01:10:37.149

Town of Freedom: things on the agreement. Did you... Painfully so, Nancy. Yes, yes, you would be amazed at how many

547

01:10:37.450 --> 01:10:54.659

Town of Freedom: discussions we had over animal food, how many discussions we had over what time of the day that a resident could walk on this road, so... Well, I would certainly hope that your decision, wouldn't just involve financing.

548

01:10:54.770 --> 01:11:01.610

Town of Freedom: I would hope so, too. And that it would really address what the people of the town want. Thank you. Thank you.

549

01:11:29.930 --> 01:11:34.149

Town of Freedom: It becomes disruptive, and then we'll... we'll discuss it.

550

01:11:35.790 --> 01:11:37.260

Town of Freedom: Okay.

551

01:11:43.820 --> 01:11:44.579

Town of Freedom: Is that better?

552

01:11:48.640 --> 01:12:01.599

Town of Freedom: We've been discussing slash arguing about these enrich roads for almost 2 years now. I'm pretty sure the majority of people in town just want a resolution and not an end to the whole thing.

553

01:12:01.600 --> 01:12:19.989

Town of Freedom: It is my understanding that the town spent \$50,000, or maybe more so far. Obviously, it would be to the town's benefit to have these expenditures come to an end. The judge in this case, knowing that the auditions in particular, can cost the town a lot of money, I'd ask the parties to work together to come to a compromise.

554

01:12:20.540 --> 01:12:34.050

Town of Freedom: The purpose of this meeting is to discuss the consent decree which is that proposed compromise. I know from attending or watching select board meetings that a lot of work has gone into coming up with this compromise.

555

01:12:34.050 --> 01:12:43.950

Town of Freedom: There were many long executive sessions, revisions, and offers back and forth. It seems that both parties did their best to come to an agreement that would

556

01:12:45.040 --> 01:12:46.509

Town of Freedom: That would come.

557

01:12:50.110 --> 01:13:04.120

Town of Freedom: that both parties have come to an agreement that would benefit all of the parties. I personally testified at the public hearings we had last year about the historic use of the road. I always said that I had no problem with the use of the road, including hiking, snowshoeing, etc.

558

01:13:04.230 --> 01:13:23.489

Town of Freedom: which has now been proposed in this consent decree. I was not in favor of motorized vehicles sharing the road with pedestrians, etc, because there's more chance of people potentially being injured by inattentive drivers, especially if the pedestrians, et cetera, who are using the road as a group. I've also heard on the local news

559

01:13:23.490 --> 01:13:28.180

Town of Freedom: that the state is looking to increase the rate of ATVs

560

01:13:28.180 --> 01:13:32.040

Town of Freedom: From 2,000 pounds to 3,000 pounds, which would

561

01:13:32.090 --> 01:13:52.000

Town of Freedom: possibly make it harder to keep the road in good shape. I found the consent decree to be a fair compromise for the town and for the abundant. Neither side got exactly what they wanted, but they did get something they didn't want. The most interesting part today was the letter from the experienced mediator. He said, in his opinion, it was a win-win for both sides.

562

01:13:52.000 --> 01:13:57.550

Town of Freedom: Acknowledging both sides had worked hard, and that it was similar to other mediations he had worked on.

563

01:13:57.550 --> 01:14:11.119

Town of Freedom: It would be so nice to have a conclusion to this ongoing dispute. If we don't accept the consent decree, it seems the whole process would start over again, incurring more expense and frustration for everyone.

564

01:14:11.230 --> 01:14:18.870

Town of Freedom: I also want to comment on a walker I heard just a few days ago from somebody in another town, and they asked about

565

01:14:19.530 --> 01:14:24.160

Town of Freedom: They asked David and I about a family from New Jersey trying to take our road.

566

01:14:24.400 --> 01:14:41.909

Town of Freedom: Well, they have lived here for 30 years. Salnia was so involved in the town. Her picture hangs in the town office. Patty spent endless hours working on the planning board, and is now part of the fire department. Lynn Adeniak served on a select board. They are not from New Jersey. They are from Freedom.

567

01:14:45.500 --> 01:14:47.609

Town of Freedom: Thank you. Thank you, Marianne.

568

01:14:47.980 --> 01:14:53.360

Town of Freedom: Because...

569

01:14:55.280 --> 01:15:11.810

Town of Freedom: Well, can I just... I just want to re, respond, because Marianne pointed out the \$50,000. This is one of those times I just want to give insight on that. I want the residents of Freedom to know that this year, legal costs...

570

01:15:11.810 --> 01:15:21.810

Town of Freedom: with, this Beaver Ridge Road lawsuit has totaled \$30,197.32.

571

01:15:22.020 --> 01:15:26.189

Town of Freedom: I want you to know that within that figure.

572

01:15:26.500 --> 01:15:45.930

Town of Freedom: was included \$726, which was the cost of, legal advice for the recall, \$164 for a foyer that Bill needed to look over. The mediation for 25 was \$2,600.

573

01:15:45.950 --> 01:15:58.440

Town of Freedom: 638 of that was spent on conversations that Bill had to respond to Steve Bennett, before we, discussed that private residents can't reach out to Bill.

574

01:15:58.440 --> 01:16:16.500

Town of Freedom: \$466 was spent on, sheriff costs due to, the lawsuit that Steve Bennett and, Aaron Bennett has filed against the Waldo County Sheriff's Department and named the Town of Freedom as parties in interest.

575

01:16:16.530 --> 01:16:41.349

Town of Freedom: And then, \$6,639 of that was spent, and it's like I've combined these two items because Bill seemed to work on them, together in his invoices, and that was the lawsuit against Don Hagar and Heather Donahue, in which the plaintiffs, again, attached the Town of Freedom

576

01:16:41.380 --> 01:16:45.160

Town of Freedom: as parties in interest. And...

577

01:16:45.530 --> 01:17:10.470

Town of Freedom: the temporary restraining order that the plaintiffs filed against the Town of Freedom to prevent the residents from accessing the road during this time. When we subtract all of that, it gets down to \$18,957. Within that amount, I'm sure if anyone was interested, Bill could comment on the various

578

01:17:10.470 --> 01:17:16.830

Town of Freedom: various motions that were filed before we even had an answer on previous motions. So.

579

01:17:16.830 --> 01:17:30.930

Town of Freedom: a lot of extra work. So, we spent approximately, I'll say, \$5,000 in 24. This year, we've received one invoice for near \$9,000, which completely

580

01:17:30.930 --> 01:17:42.039

Town of Freedom: is due to the executive sessions and the mediations back and forth on this consent decree. So I just want to make it clear, when we see that \$50,000 figure.

581

01:17:42.630 --> 01:17:45.360

Town of Freedom: What is included in that?

582

01:17:48.310 --> 01:18:06.069

Town of Freedom: And also, since Marianne brought up ATVs, I do want the people of freedom to know that before this lawsuit was ever filed, the Select Board actually offered, an agreement. We saw what could happen.

583

01:18:06.090 --> 01:18:23.780

Town of Freedom: And we had offered, despite the fact that we have some residents who use ATVs, we offered... thought it would be a good solution to have foot traffic only up there. And the day that we offered that.

584

01:18:23.780 --> 01:18:39.230

Town of Freedom: The Bennett family, all agreed to it. The price representation that was there agreed to it. It was only the Hedinacs who didn't, because at that time, they wanted the road completely private. And so.

585

01:18:39.270 --> 01:18:56.240

Town of Freedom: We're getting to the end here with just foot traffic and a lot of these other things attached, but I do want residents to know that your select board at the time really did work to avoid this by offering just foot traffic.

586

01:18:57.560 --> 01:19:12.649

Town of Freedom: All right, it's gonna speak, and then following that, we're gonna read a couple of the, email-submitted comments before we go back to, the list.

587

01:19:12.810 --> 01:19:22.910

Town of Freedom: Anybody hear me? Alright, so this... this whole hearing seems to me to be for the Select Board. I want to get the Select Board limited to 3 minutes to talk.

588

01:19:24.810 --> 01:19:38.840

Town of Freedom: I'm going to talk a little bit about the money that's involved, and as Bill Kelly suggested... Speak closely to it, thank you. As Bill Kelly suggested, if this... if this is not accepted by the Select Board, and I'm...

589

01:19:39.010 --> 01:19:45.149

Town of Freedom: Hoping that he will sign this agreement. It's gonna cost the taxpayers in this town a tremendous amount of money.

590

01:19:45.530 --> 01:19:50.210

Town of Freedom: And, I don't know about you, but my taxes are high enough as it is right now.

591

01:19:50.860 --> 01:19:56.049

Town of Freedom: I urge you to sign this agreement and end this mess. Thank you.

592

01:19:56.420 --> 01:19:58.340

Town of Freedom: Thank you, Dave.

593

01:19:58.660 --> 01:20:00.080

Town of Freedom: Great.

594

01:20:00.260 --> 01:20:02.440

Town of Freedom: Reading the latter? No.

595

01:20:10.930 --> 01:20:23.030

Town of Freedom: Hi there. We decided that we would intersperse a comment from the public here with, reading some of the emails, actually all of the emails that we received.

596

01:20:23.040 --> 01:20:32.750

Town of Freedom: We asked each person, whether they would be okay with us reading off their email beforehand, and these are the people who gave us permission.

597

01:20:33.370 --> 01:20:45.799

Town of Freedom: So I'm going to read the first one. The way it's written, I don't want it to be confusing, because my name is Rainey Ouellette, but here's the email. Hello, everyone. My name is Patrick Terry.

598

01:20:45.980 --> 01:20:59.809

Town of Freedom: I'm a resident on Oak Lane. I'm skeptical about this decree. My concerns are as follows. What are the implications, liabilities, precedents, and unintended consequences across freedom and the state of Maine?

599

01:21:00.230 --> 01:21:15.420

Town of Freedom: The consent decree is new to this world. The town is forming an unusual relationship with private landowners on governance and maintenance on a road with a public easement. I urge the town to use caution when forming such partnerships.

600

01:21:16.410 --> 01:21:34.129

Town of Freedom: Our Select Board cares deeply for this town. They are careful, knowledgeable people, independent, and capable self-thinkers. They are doing a commendable job, faced with such challenges, carrying so much weight, which affects many residents. Experienced select boards would find this difficult.

601

01:21:35.100 --> 01:21:39.629

Town of Freedom: My questions are, why hasn't the town attorney defended this public easement?

602

01:21:39.770 --> 01:21:42.279

Town of Freedom: The public easement is well worth defending.

603

01:21:42.540 --> 01:21:49.859

Town of Freedom: Why doesn't the town attorney defend the sentiment and intent of the 1956 vote on the townspeople?

604

01:21:50.240 --> 01:21:58.650

Town of Freedom: Why did he not halt this lawsuit entirely? Why hasn't the town attorney defended the select board and the town's people?

605

01:21:58.810 --> 01:22:03.089

Town of Freedom: Why does consent decree get hammered out behind closed doors?

606

01:22:03.200 --> 01:22:07.589

Town of Freedom: Why does it charge... change the width of the road from 4 rods to 3 rods?

607

01:22:08.420 --> 01:22:28.390

Town of Freedom: And then in parentheses, the first introduction of three rods are the log and land corporation deeds when they had woodlots on Beaver Ridge, close parentheses. In my research, I find

that Beaver Ridge was taken as a county road in 1818, as a four-rod road. Then in 1823, the road changed.

608

01:22:28.650 --> 01:22:36.260

Town of Freedom: Why hasn't the town's attorney and the select board not gone on an official boundary walk, or perambulation?

609

01:22:36.480 --> 01:22:39.480

Town of Freedom: Be sure to carry a 100-foot tape measure.

610

01:22:40.460 --> 01:22:49.510

Town of Freedom: This consent decree steps outside the normal boundaries of statute process on road layout changes and procedures of road status.

611

01:22:50.730 --> 01:23:01.010

Town of Freedom: In 1956, the town voted to maintain that we are never abandoning this road, and voted on... voted to maintain their public access.

612

01:23:01.450 --> 01:23:16.270

Town of Freedom: In 1956, vote by the townspeople to keep these roads, quote, now and forever open, quote, was a very wise and noble action. They acted to protect and defend their public easement, and looked out for the town's future.

613

01:23:16.970 --> 01:23:31.529

Town of Freedom: Residents, remember this. Don't be concerned by scare tactics or worst-case scenarios. Freedom's roads and lanes don't have an issue with mud season and spring thaw. It's the people that have an issue with the mud season and spring thaw.

614

01:23:31.920 --> 01:23:38.510

Town of Freedom: I would like to thank the Freedom Select Board for all that they have done. I hope that someday these sideshows will end.

615

01:23:38.620 --> 01:23:52.979

Town of Freedom: I believe the Select Board and Residents can amicably, diplomatically, and skillfully work this out with the resources we have in this town. I will have to lead the way. I will leave you with a quote from Mark Twain. I quote.

616

01:23:53.450 --> 01:23:57.310

Town of Freedom: When all is said and done, far more is said than is done.

617

01:23:57.800 --> 01:24:00.149

Town of Freedom: Thank you, Patrick Perry.

618

01:24:05.140 --> 01:24:12.679

Town of Freedom: Okay, we're... Can you hear me? Okay. Next up will be Tim Turner.

619

01:24:13.110 --> 01:24:16.390

Town of Freedom: Then Christine Spaulding and Donald Hager.

620

01:24:18.620 --> 01:24:19.530

Town of Freedom: Pass.

621

01:24:22.760 --> 01:24:25.150

Town of Freedom: Okay, Steve?

622

01:24:34.550 --> 01:24:36.270

Town of Freedom: You guys hear me okay?

623

01:24:37.810 --> 01:24:41.269

Town of Freedom: I just wanted to say that either side of this

624

01:24:41.430 --> 01:24:46.290

Town of Freedom: Lovely document, guys are on. Left, right, in the middle, whatever.

625

01:24:46.610 --> 01:24:54.369

Town of Freedom: I know that this letter says that the selectors have the right to make the vote. However, this

626

01:24:54.530 --> 01:24:59.449

Town of Freedom: is not a town of Freedom. This is a few sprinkling of a town of freedom.

627

01:24:59.560 --> 01:25:14.979

Town of Freedom: I feel that this should go out on a referendum vote, not a town meeting vote, not a select vote, because people cannot always make it to any of these meetings. I personally know that there is a bunch of people that said they would like to have come today.

628

01:25:15.160 --> 01:25:17.130

Town of Freedom: But they had other obligations.

629

01:25:17.550 --> 01:25:18.580

Town of Freedom: And...

630

01:25:19.080 --> 01:25:33.669

Town of Freedom: I feel we should go to a referendum vote, let the town speak, and be done with it. Either the town people say yes, or the town people say no. We have a board, and the timing really states for this right now, because this board is changing.

631

01:25:33.940 --> 01:25:41.829

Town of Freedom: We have one person that's not rerunning. We have an election coming up, less than a month, or a month, yeah.

632

01:25:42.140 --> 01:25:46.830

Town of Freedom: I think... I just want to say that I really think this should go out to a referendum vote.

633

01:25:47.060 --> 01:25:49.140

Town of Freedom: Let the challenge people's speed?

634

01:25:49.390 --> 01:25:54.020

Town of Freedom: It's been circulated, it's been in our mailboxes, people have read it.

635

01:25:54.810 --> 01:26:05.279

Town of Freedom: Let them speak. Let them say, once and for all, the entire town, nobody can come back and say, Biden's get to say anything on that? No. It's said and done.

636

01:26:05.970 --> 01:26:09.810

Town of Freedom: Either way, I know it's probably been tough to solve, but it's really good summer.

637

01:26:10.560 --> 01:26:12.869

Town of Freedom: But it will be God.

638

01:26:14.340 --> 01:26:15.150

Town of Freedom: Thank you.

639

01:26:26.130 --> 01:26:30.880

Town of Freedom: Dr. O'Donnell will be, Bolton House and Gwen Littlefield.

640

01:26:31.760 --> 01:26:38.570

Town of Freedom: Hey, good morning, Select Board. My name's Donald Hager. I just wanted to state a few, things that I thought

641

01:26:39.690 --> 01:26:41.370

Town of Freedom: was important.

642

01:26:42.060 --> 01:26:50.619

Town of Freedom: This road has always been understood by me and my friends as something the public could use respectfully. People didn't use it

643

01:26:50.930 --> 01:27:05.510

Town of Freedom: We or anybody that used it, not to my knowledge, have used it to make a statement or cause problems. We've used it because that's how we've always, known, you know, we all have our history up there. I have 40 years of history up there.

644

01:27:06.080 --> 01:27:10.400

Town of Freedom: I've noticed road is a public way,

645

01:27:11.180 --> 01:27:12.560

Town of Freedom: Let's see, I think I messed up.

646

01:27:13.280 --> 01:27:16.330

Town of Freedom: I've known this road as a public way for many years.

647

01:27:16.430 --> 01:27:28.900

Town of Freedom: I understand people see their history differently, people are on both sides. Because of that, I think the town should seek lasting clarity, rather than adopt permanent rules that future residents can't revisit.

648

01:27:30.070 --> 01:27:41.880

Town of Freedom: I believe the only reason that we're here, and the whole, mediation, dissent, decree, settlement agreement, plea bargain, whatever you want to call it, that is...

649

01:27:42.520 --> 01:27:59.450

Town of Freedom: Solely a result of a group of people overloading the judicial system, overloading the town's financial capabilities, and then hanging a carrot over our heads, saying, hey, this is how it can all end.

650

01:27:59.840 --> 01:28:01.610

Town of Freedom: I don't appreciate that.

651

01:28:02.430 --> 01:28:06.370

Town of Freedom: This has just been, a whole lawsuit of,

652

01:28:07.530 --> 01:28:19.289

Town of Freedom: The burden of the proof has not been met. I feel that signing a plea bargain agreement or the papers in front of us is short-selling the town.

653

01:28:20.000 --> 01:28:25.599

Town of Freedom: This is a case of, people that can bully, that are bullying.

654

01:28:26.330 --> 01:28:43.009

Town of Freedom: It's a hobby to the hygieniacs to, create multiple motions, and slam Bill Kelly, and put more motions in court before the previous ones have even been answered. It's a whole whirlwind of emotions.

655

01:28:43.180 --> 01:28:44.930

Town of Freedom: and baloney.

656

01:28:45.170 --> 01:28:50.850

Town of Freedom: And I think we're selling ourselves short. This consent degree is garbage.

657

01:28:51.060 --> 01:28:54.939

Town of Freedom: Yep, it mentions no parking anywhere for people.

658

01:28:55.550 --> 01:29:05.389

Town of Freedom: You can't park on the road. Well, I mean, if we're having a walking trail, you better have a 10-spot parking, place at your expense.

659

01:29:06.740 --> 01:29:08.150

Town of Freedom: Don't sign it.

660

01:29:10.070 --> 01:29:13.490

Town of Freedom: let it fizz... let it go to court. We've... we've already...

661

01:29:13.690 --> 01:29:24.210

Town of Freedom: put a ton of money into it that I'm not happy about either. But as the... if you want to see the rundown of the tally of who actually created the deficit in a town.

662

01:29:24.790 --> 01:29:36.530

Town of Freedom: Look out, you know where to look, okay? The money for mediation, the money for executive sessions, the money for Bill Kelly. This is only a result of one family not getting their way.

663

01:29:36.750 --> 01:29:38.710

Town of Freedom: And wanted to close it down.

664

01:29:40.350 --> 01:29:43.739

Town of Freedom: I've had personal experiences with Hydiniacs.

665

01:29:44.340 --> 01:29:51.499

Town of Freedom: They might be very nice people, but I wouldn't know. No dissent, no... no sign.

666

01:29:55.290 --> 01:29:56.180

Town of Freedom: Who can play.

667

01:30:00.230 --> 01:30:00.900

Town of Freedom: I don't know.

668

01:30:02.430 --> 01:30:05.499

Town of Freedom: He's taller than I am.

669

01:30:05.910 --> 01:30:16.190

Town of Freedom: I, just a few brief comments, and I'm guessing them to our three, select board members that are here.

670

01:30:16.890 --> 01:30:22.140

Town of Freedom: Over the years, professionally and personally,

671

01:30:22.950 --> 01:30:30.280

Town of Freedom: Individuals and organizations have come to me when they're in the midst of Really difficult challenges.

672

01:30:31.520 --> 01:30:35.829

Town of Freedom: And the advice that I go back to from time to time to time

673

01:30:36.710 --> 01:30:40.870

Town of Freedom: Is to say to those folks, You're a pickle.

674

01:30:41.130 --> 01:30:45.559

Town of Freedom: Find yourselves a good lawyer, and listen to him or her.

675

01:30:47.310 --> 01:30:52.690

Town of Freedom: I've known Bill Kelly for some 30 years. I think he must have been 12.

676

01:30:52.930 --> 01:30:58.400

Town of Freedom: And I hold him in high regard.

677

01:30:58.960 --> 01:31:08.710

Town of Freedom: No more so than today, when he reminded us That his advice Regarding this consent decree.

678

01:31:08.900 --> 01:31:13.819

Town of Freedom: Is, in his words, in the best interest of the town.

679

01:31:15.250 --> 01:31:17.209

Town of Freedom: He's outlined at length.

680

01:31:17.390 --> 01:31:26.120

Town of Freedom: at length, Bill. Well, the reasoning for that, I have neighbors here.

681

01:31:26.940 --> 01:31:30.889

Town of Freedom: And friends across both sides of this issue.

682

01:31:35.330 --> 01:31:42.810

Town of Freedom: And to them, as well as to the Select Board, my advice remains, okay.

683

01:31:43.410 --> 01:31:45.740

Town of Freedom: Listen to the advice of your lawyer.

684

01:31:46.000 --> 01:31:46.959

Town of Freedom: Thank you.

685

01:31:47.990 --> 01:31:49.010

Town of Freedom: Look at that.

686

01:31:51.600 --> 01:31:56.740

Town of Freedom: That sounded like the lawyers in back.

687

01:31:59.470 --> 01:32:01.520

Town of Freedom: I'm sorry.

688

01:32:11.090 --> 01:32:21.010

Town of Freedom: I'm Gwen Littlefield. I just want to say that there was a mention of, the coffer and how much people can continue to

689

01:32:21.240 --> 01:32:28.960

Town of Freedom: trying to litigate against the town. Remember, the coffer is our pockets, your neighbor's pockets.

690

01:32:29.530 --> 01:32:34.900

Town of Freedom: I am not a public speaker, I am nervous, I'm sorry.

691

01:32:34.990 --> 01:32:39.999

Town of Freedom: But this is my town. I was born and raised here for 50 years.

692

01:32:40.040 --> 01:32:57.610

Town of Freedom: I think that our taxes have more than, been affected, obviously, by this. I think that this does need to come to an end. However, I am not a proponent of this agreement. I think this agreement is ridiculous.

693

01:32:57.720 --> 01:33:03.130

Town of Freedom: like you were stating, Mr. Kelly, most of this is common sense.

694

01:33:03.150 --> 01:33:12.330

Town of Freedom: for a roadway, a public roadway, this is unnecessary. The part that I find quite comedic is...

695

01:33:12.330 --> 01:33:23.250

Town of Freedom: If I'm going to be on the road riding horseback, I am to pick up, to dismount, pick up the horse manure, and do what it put it in my back pocket.

696

01:33:23.660 --> 01:33:27.989

Town of Freedom: I'm just pointing out the ridiculousness of the nature of this beast.

697

01:33:28.440 --> 01:33:31.290

Town of Freedom: This has got to come to an end, but not like this.

698

01:33:31.700 --> 01:33:46.289

Town of Freedom: This needs to come to an end by the people that have moved to this town, not born and raised here, and demanding us to concede and to give our

699

01:33:46.740 --> 01:33:58.399

Town of Freedom: family's heritage, our family's hard work and efforts, just handed over to them, just because they don't want people up on that property, on that road. I think that's...

700

01:33:58.640 --> 01:34:07.660

Town of Freedom: One, an embarrassment to you, not to the town. And you should be ashamed of yourselves for being so greedy. Thank you.

701

01:34:13.290 --> 01:34:14.720

Town of Freedom: Trust me.

702

01:34:17.470 --> 01:34:19.649

Town of Freedom: We're gonna read in a...

703

01:34:19.920 --> 01:34:28.889

Town of Freedom: We're gonna read another letter now, and then following that will be, Richard Bickford, Elaine Higgins, and Maria Price. I'm sorry.

704

01:34:29.710 --> 01:34:33.960

Town of Freedom: F... That's great. Sorry.

705

01:34:35.100 --> 01:34:40.650

Town of Freedom: Can you hear me out? Yeah, sorry. We're going to... I think the battery makes it...

706

01:34:42.820 --> 01:35:00.989

Town of Freedom: Rainey is going to read a letter, and then we're going to have Mr. Bickford and Elaine up next. And Ron after that. Ron Price? Yeah. Okay. Rainey is going to bellow a letter. Can you hear in the back? Oh, word. From Lynn Warren.

707

01:35:01.690 --> 01:35:11.129

Town of Freedom: Two selectmen. Dear select persons, as a resident of Freedom, I urge you to vote to accept the agreement regarding the Beaver Ridge Road lawsuit.

708

01:35:11.390 --> 01:35:20.810

Town of Freedom: As all parties have accepted this compromise, it is our responsibility to accept it as well, and put the matter behind us. Thank you, Lynn Warren.

709

01:35:28.090 --> 01:35:30.679

Town of Freedom: I'll read one as well,

710

01:35:31.120 --> 01:35:45.610

Town of Freedom: And it is short. Please accept this as support of the final proposal concerning the pending lawsuit regarding the Beaver Ridge. We feel that, while not perfect, it is a fair ending to both parties and would save significant costs to the town.

711

01:35:45.940 --> 01:35:46.969

Town of Freedom: Who's left wrong?

712

01:35:47.110 --> 01:35:50.699

Town of Freedom: From, Kathy and Kenny Cunningham.

713

01:35:51.240 --> 01:35:54.210

Town of Freedom: I didn't know we were... Yeah.

714

01:35:54.380 --> 01:35:55.220

Town of Freedom: Okay.

715

01:35:55.770 --> 01:35:56.570

Town of Freedom: Right.

716

01:35:57.350 --> 01:35:58.800

Town of Freedom: Go ahead, later.

717

01:35:59.840 --> 01:36:01.230

Town of Freedom: Okay? Yeah. Yep.

718

01:36:01.330 --> 01:36:11.319

Town of Freedom: I'm Nick Vickford, and I'm new to the town, but I'm going to spin up a scenario. I'm not gonna talk anymore about what we spent, but what's going to happen.

719

01:36:12.250 --> 01:36:18.340

Town of Freedom: As you all know, we've got an election coming up, and if we don't stop this thing right now.

720

01:36:18.920 --> 01:36:25.940

Town of Freedom: Our election right now is going to start next month, and we're going to lose a candidate, a good person on the board.

721

01:36:26.240 --> 01:36:29.910

Town of Freedom: And we're gonna elect a new person. We don't know who that's gonna be.

722

01:36:30.580 --> 01:36:38.499

Town of Freedom: But there's a good chance that we could have somebody on there who will vote to keep this thing going.

723

01:36:38.890 --> 01:36:42.629

Town of Freedom: If we do, We're gonna spend a lot more money.

724

01:36:43.060 --> 01:36:46.730

Town of Freedom: That means we're going to have a survey, That could cost...

725

01:36:46.840 --> 01:36:54.799

Town of Freedom: We heard \$6,000 at a select meeting could go to \$20,000. I know somebody that spent \$20,000 or more.

726

01:36:54.970 --> 01:37:03.349

Town of Freedom: And it could go higher, because you got court costs, and you got charge fees. Now, if we turn this down today.

727

01:37:03.650 --> 01:37:17.060

Town of Freedom: and that goes to a survey, and then it goes to a court course, and the judge has to make a ruling. The first thing that Mr. Kelly's gonna do, Tyler, they're gonna present this decree that said it was

728

01:37:17.420 --> 01:37:23.360

Town of Freedom: not passed by the town. The judge is going to look at that, Because I said, well,

729

01:37:23.490 --> 01:37:25.049

Town of Freedom: Jeez, what's wrong with that?

730

01:37:26.090 --> 01:37:29.309

Town of Freedom: You know, it looks pretty good. Why'd you tell them to make them?

731

01:37:30.170 --> 01:37:31.750

Town of Freedom: Well, they don't like.

732

01:37:31.850 --> 01:37:35.540

Town of Freedom: And the judge could say, Bang, I like it!

733

01:37:36.060 --> 01:37:38.569

Town of Freedom: We spent money on a survey.

734

01:37:38.840 --> 01:37:46.660

Town of Freedom: court costs, and all that, on something that Bill Kelly's already approved, And good ol' Laurel proved...

735

01:37:46.770 --> 01:37:51.029

Town of Freedom: Unless you're approved, Okay, running approved.

736

01:37:51.510 --> 01:37:54.380

Town of Freedom: And now... Some of them don't like it.

737

01:37:55.270 --> 01:37:59.429

Town of Freedom: But they approved it in the beginning, and Bill even said he likes it!

738

01:38:00.470 --> 01:38:07.510

Town of Freedom: And we jotted down... And we got a survey, and we go to court, and spend court costs.

739

01:38:07.880 --> 01:38:09.690

Town of Freedom: Guess what? We spent normally.

740

01:38:10.150 --> 01:38:12.420

Town of Freedom: I think it's time now to starve it.

741

01:38:12.700 --> 01:38:16.970

Town of Freedom: Because if we go and continue and get somebody else on that board.

742

01:38:17.600 --> 01:38:22.219

Town of Freedom: That could be on another person's side. Not for sure.

743

01:38:22.380 --> 01:38:24.070

Town of Freedom: What's done.

744

01:38:24.590 --> 01:38:26.740

Town of Freedom: Sorry, this is it.

745

01:38:27.200 --> 01:38:28.300

Town of Freedom: Vote for it.

746

01:38:39.330 --> 01:38:45.639

Town of Freedom: I'll save my comments for yes. All right. You want me to read another one? Sure.

747

01:38:46.860 --> 01:38:50.579

Town of Freedom: Elaine, go ahead while you're going after. After Elaine.

748

01:38:57.850 --> 01:38:59.690

Town of Freedom: Pop it right out.

749

01:39:00.000 --> 01:39:03.099

Town of Freedom: That's go ahead. Okay. There we go.

750

01:39:03.590 --> 01:39:19.400

Town of Freedom: Members of the selector, as everyone knows, I write for the, Midcoast Villager. Everyone knows that I write for the Midcoast Villager, and I've been taking notes, and going to the Selectman's meetings.

751

01:39:19.400 --> 01:39:36.589

Town of Freedom: And in my opinion, and granted, it's only my opinion, that I feel that this decree, as it's written, is going to benefit the town. I've been here since 1981. Granted, I wasn't born here, but yet I've been here for a very long time.

752

01:39:36.820 --> 01:39:51.989

Town of Freedom: And it's time, and I can remember back in the early 80s, I went to a town meeting at the Grange, and there was a bunch of guys arguing about Beaver Ridge back then. I mean, that was a long time ago. I don't remember the outcome, because I was new to the town.

753

01:39:52.150 --> 01:39:57.659

Town of Freedom: And I think now, if we have a chance to simply put a stop to all of this.

754

01:39:57.690 --> 01:40:01.680

Town of Freedom: Otherwise, we're going to be arguing about it until...

755

01:40:01.700 --> 01:40:20.670

Town of Freedom: Forever. And it's time to sign the decree, say thank you, we're done, and people are going to simply have to learn to live with what we've got. And in my opinion, one of the big problems that we had in the last couple of years is inconsiderate people going on

756

01:40:20.770 --> 01:40:29.590

Town of Freedom: in front of the Hypediac's home, and, for lack of a better phrase, staving up the road, and simply no one asking.

757

01:40:29.760 --> 01:40:35.580

Town of Freedom: I hunted up there twice in the years that I've been here. Once in the early 80s with Basil and I,

758

01:40:35.650 --> 01:40:40.150

Town of Freedom: Well, look at the partridge, didn't find any, and didn't go back, but there was no houses there.

759

01:40:40.170 --> 01:40:48.399

Town of Freedom: I went up again a couple of years ago with permission, and I was looking for the... looking at the road, and I was looking for deer.

760

01:40:48.400 --> 01:41:05.639

Town of Freedom: I saw the road, I understood the layout of the land, and then after legal shooting hours, and I had unloaded my gun, I saw a flag. So, that's the way it goes. But in the meantime, this is very, very important to this town. Stop the bleeding, and please.

761

01:41:05.640 --> 01:41:08.910

Town of Freedom: Sign this and have it done with. Thank you.

762

01:41:14.270 --> 01:41:22.079

Town of Freedom: Thank you. Ron Price, you're next, followed by Kyle, Price and Travis Price.

763

01:41:40.090 --> 01:41:47.099

Town of Freedom: Since you've already stated my name, I'm not going to try it again, but I just have a couple questions. The first one is,

764

01:41:48.540 --> 01:42:04.429

Town of Freedom: I was approached yesterday, actually, by a person that indicated to me that the DNIAC family was the one that had requested this mediation process. It's my understanding that the mediation process is requested by the judge in this case, is that correct?

765

01:42:05.320 --> 01:42:20.170

Town of Freedom: Ordered by the court. Ordered by the court. So, there was no party that was requesting it. It happened because the judge requested it. The court requested it, right? Required. Required. Okay, that makes it pretty clear. So, my next question is.

766

01:42:20.650 --> 01:42:38.630

Town of Freedom: through this whole mediation process, there came down this consent decree. I'm assuming that our Select Board accepted that consent decree, along with the Houdiniac family. Was that 100% acceptance, or was it half and half, or how did that work?

767

01:42:38.900 --> 01:42:41.059

Town of Freedom: We'll stop this time.

768

01:42:41.200 --> 01:42:58.530

Town of Freedom: Maybe. So, yes, the Select Board, did, and this will be great because I'll just get to respond to, Dick's comment. So at our, that third, that third paragraph.

769

01:42:58.530 --> 01:43:05.569

Town of Freedom: And that last sentence, that Bill had even, spoke to, highlighted.

770

01:43:05.630 --> 01:43:19.269

Town of Freedom: We showed up at our last executive session before we were going to agree on that, and, I usually have a problem with these, running documents because

771

01:43:19.270 --> 01:43:34.390

Town of Freedom: you're able to go back in and change some of the wording, and we don't always have just a record of what was corrected, so I have decided that day to go back in from the beginning of the document and read it.

772

01:43:36.670 --> 01:43:41.530

Town of Freedom: Certainly reference anything you want in the consent agreement, but you shouldn't describe the executive session promise.

773

01:43:42.030 --> 01:43:43.610

Town of Freedom: Okay.

774

01:43:45.000 --> 01:43:46.549

Town of Freedom: Right, oh, I'm...

775

01:43:46.980 --> 01:44:03.240

Town of Freedom: Believe me, I know, you've... I've asked you if I could share that, because I thought it would be very beneficial. No, no, I know that I can't share all of the... the prior offers by the Hediniak family. So...

776

01:44:03.480 --> 01:44:10.230

Town of Freedom: I came across, a sentence that was added, and do you have that in front of you?

777

01:44:10.440 --> 01:44:19.500

Town of Freedom: And it jumped out to me, because that third paragraph, we had done a lot of back and forth on that.

778

01:44:19.600 --> 01:44:28.950

Town of Freedom: And all of a sudden, at that last meeting, I saw the sentence on this record, the defendant does not dispute that the plaintiff's

779

01:44:29.000 --> 01:44:42.529

Town of Freedom: acted reasonably and in good faith on these representations when they posted the disputed portion of the road as private and forbid entry by others.

780

01:44:42.900 --> 01:44:52.900

Town of Freedom: The Select Board and Bill will acknowledge that right away, I said. Wait, where and why is in this sentence? Okay.

781

01:44:53.610 --> 01:45:00.749

Town of Freedom: You mean I can't say that I didn't want that sentence?

782

01:45:02.120 --> 01:45:03.130

Town of Freedom: Nope.

783

01:45:03.350 --> 01:45:11.790

Town of Freedom: Okay, well, I don't agree with that sentence. It's not true. And, and... I...

784

01:45:11.980 --> 01:45:25.950

Town of Freedom: Okay, so you're really tying my hands here, Bill. Maybe, look, can I offer something? Can I say something else?

785

01:45:26.760 --> 01:45:28.880

Town of Freedom: I asked this question because...

786

01:45:28.880 --> 01:45:48.499

Town of Freedom: This has been presented to the town. Yeah. Been presented by the board. I'm assuming that the board is 100% behind this consent decree. Is that the wrong assumption? Not that

sentence. Not that sentence. So that does not happen at the mediation, though, is that correct? The way I would put it is that the board agreed to...

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01:45:48.520 --> 01:46:03.950

Town of Freedom: present the consent degree to the public for input, that we agreed that it was as far as we could go, and that our next step before voting on it would be to allow the public to present. So.

788

01:46:04.410 --> 01:46:18.540

Town of Freedom: there... as Laura's pointing to, there are things we don't like in it, there are things that we feel can go a certain way, which we'll discuss in more detail during our deliberation, but to say that we 100% are ready to sign it.

789

01:46:19.070 --> 01:46:30.590

Town of Freedom: would not be necessarily a fair representation, but we feel good enough about it to bring it forward for more discussion. So that's, I think, maybe a fairer way to...

790

01:46:30.780 --> 01:46:39.580

Town of Freedom: So, what I'm getting from that comment is, what we're doing here today is probably wasting our time because you're going to change it.

791

01:46:40.780 --> 01:46:58.259

Town of Freedom: Am I hearing that right? I'm gonna reply again. In the mailing that we sent out, we made it very clear that our options for a vote are to accept it, to reject it, or to amend it. So this is getting, again, into the latter part.

792

01:46:58.380 --> 01:47:02.379

Town of Freedom: But those are our options. Okay, so if you amended it.

793

01:47:02.420 --> 01:47:21.420

Town of Freedom: what we're doing here is a waste of time, because we're not going to have an opportunity. I'd like to respond to that. Ron, I wanted to establish the fact of what we're doing here, and I feel like that Mr. Kelly has presented the thing to us, as it should have been presented.

794

01:47:21.420 --> 01:47:24.129

Town of Freedom: And as a resident, and as a taxpayer.

795

01:47:24.260 --> 01:47:38.309

Town of Freedom: I'm really not interested in buying his breakfast from here on out, so I would prefer that you accept this debate, and we get it done. Thank you. You're not going to respond? The moment has passed.

796

01:47:39.260 --> 01:47:40.090

Town of Freedom: Hold on one sec.

797

01:47:40.960 --> 01:47:41.679

Town of Freedom: Where are you?

798

01:47:42.100 --> 01:47:43.900

Town of Freedom: trial, and then traffic.

799

01:47:52.940 --> 01:47:58.449

Town of Freedom: So, I'm Kyle Price. I... in response to some other comments that have been made, I'd like to offer that

800

01:47:58.580 --> 01:48:00.140

Town of Freedom: I wasn't born here.

801

01:48:00.520 --> 01:48:07.219

Town of Freedom: I was born at Camp Lejeune, North Carolina, while our father was serving in the Marine Corps. Moved here on my third birthday.

802

01:48:07.340 --> 01:48:12.509

Town of Freedom: I'm not a resident of the town, but I'm a land abundant, so I appreciate this opportunity to respond.

803

01:48:15.730 --> 01:48:34.189

Town of Freedom: I'm glad that things kind of happen the way they do, and I hope, Laura specifically, that you don't die, literally, on this hill because of that one sentence that you object to. You made that very clear in some previous selector meetings, and I was hoping that you have said you would not vote for this if that sentence stays there.

804

01:48:34.190 --> 01:48:42.039

Town of Freedom: I hope that you can get past that, and accept, like Wilson has said, the advice of your lawyer, and accept this decree.

805

01:48:42.700 --> 01:48:51.249

Town of Freedom: I also know that you're aware that on Monday night, the abutters and parties in interest of this presented a letter to you.

806

01:48:51.730 --> 01:49:11.120

Town of Freedom: And I'm just going to read the first paragraph. The undersigned party's interest and line of interest to Beaver Ridge Road strongly encourage, with emphasis, you to vote in favor to accept the consent decree for Beaver Ridge Road. There's 12 individual names on here, and I'd like to offer this for the record for today's meeting, as well as I know you had it from the previous meeting.

807

01:49:12.410 --> 01:49:16.810

Town of Freedom: I would just like to conclude by saying,

808

01:49:18.000 --> 01:49:23.789

Town of Freedom: that... well, there's a part of me that would like to get into a little story I've had going on in my head about what I would do

809

01:49:23.930 --> 01:49:25.769

Town of Freedom: If I was to hit any X.

810

01:49:26.230 --> 01:49:33.259

Town of Freedom: And I had land that we purchased, and we're told that we could post signs and restrict access to

811

01:49:33.300 --> 01:49:46.479

Town of Freedom: that property, the people that own plan past that road could have accessed that, and that sort of thing. So that whole story, just for brevity, I won't tell the whole thing, but I would just ask people for a moment, if you could imagine where you live.

812

01:49:46.860 --> 01:50:05.000

Town of Freedom: or if you can't put a similar scenario together, imagine where they live, what it is that's happened in the last 35 years to try to put an end to this, when there's been multiple efforts to try to get a conclusion of this. Now, again, Laura, you've been critical of previous school board members. Our SLECT boards have not been able to resolve this issue.

813

01:50:05.270 --> 01:50:06.970

Town of Freedom: You've got an opportunity to do it.

814

01:50:07.440 --> 01:50:09.350

Town of Freedom: And I hope that you'll take advantage of it.

815

01:50:09.460 --> 01:50:10.330

Town of Freedom: Thank you, Pat.

816

01:50:11.480 --> 01:50:12.260

Town of Freedom: Create another one.

817

01:50:14.690 --> 01:50:23.930

Town of Freedom: While Travis is on his way, go ahead. I'll read one more email, while Travis comes down. This one's from, Dan Hallett.

818

01:50:24.310 --> 01:50:42.540

Town of Freedom: I'm in favor of signing the agreement and putting this long ordeal to rest. I do not want any more of my property tax dollars spent on this issue. We've already spent \$50,000 plus, which is a huge amount of money for such a small town with a small number of property taxpayers to put the bill.

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01:50:42.640 --> 01:50:49.659

Town of Freedom: I cannot imagine a better or different compromise agreement for the parties involved with any continued effort on this matter.

820

01:50:49.780 --> 01:51:04.870

Town of Freedom: I believe the town is going to be looking at some other unforeseen issues coming at us over the next few years as county school and town employee commitments are only going to cost more of our tax dollars than any of us can predict.

821

01:51:04.940 --> 01:51:11.799

Town of Freedom: We need to prioritize what we have to have, and possibly compromise some things that we would like to do.

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01:51:12.100 --> 01:51:24.769

Town of Freedom: For example, we need town government, public works, county government services like sheriffs, school budget, upkeep expenses for town roads and infrastructure, fire department, and ambulance service.

823

01:51:24.780 --> 01:51:32.329

Town of Freedom: These are things we are not going to be able to live without, and not have much wiggle room to dictate or lower the cost of these things.

824

01:51:32.580 --> 01:51:42.780

Town of Freedom: Most taxpayers in our small town are not wealthy, and many on fixed incomes, and being able to afford big increases in property tax is not an option.

825

01:51:42.900 --> 01:52:00.609

Town of Freedom: We feel to age... nope, I'm sorry. We need to age in our own secure homes. This is all why I feel this is a good place to prepare for all this, and sign this consent agreement, and its huge legal fees and costs, and stop spending our precious tax dollars. Now.

826

01:52:00.950 --> 01:52:07.810

Town of Freedom: Time to move forward to more important town affairs. Thank you for the opportunity to voice my opinion on this matter.

827

01:52:09.530 --> 01:52:14.099

Town of Freedom: Dan Hallett, resident and property taxpayer since 1983.

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01:52:17.980 --> 01:52:20.119

Town of Freedom: Well, Travis Bryce.

829

01:52:20.240 --> 01:52:21.440

Town of Freedom: That's my...

830

01:52:21.630 --> 01:52:30.809

Town of Freedom: thought process is a little bit further down the road, like, maybe 20 years with a lot of the faces in here are no longer here. There's other people

831

01:52:31.090 --> 01:52:33.980

Town of Freedom: That have inherited this land, subdivided it.

832

01:52:34.400 --> 01:52:39.710

Town of Freedom: And how hard is it going to be to make a normal 3-rod road?

833

01:52:40.700 --> 01:52:43.479

Town of Freedom: After this gets passed, say it gets passed.

834

01:52:44.470 --> 01:52:55.890

Town of Freedom: How hard is that gonna be? Make it a town road again without these restrictions. If, say, other people 20 years from now don't want this. They want it to be a town road. Is it impossible?

835

01:53:03.400 --> 01:53:10.269

Town of Freedom: So the short answer to your question is, this Select Board, next meeting in a month or two, cannot restrict

836

01:53:10.540 --> 01:53:13.420

Town of Freedom: What a town meeting might do in a few years.

837

01:53:13.700 --> 01:53:19.789

Town of Freedom: No more than Congress can pass a law right now and say, hey, 20 years, the legislature can't do this, we can't do that.

838

01:53:20.430 --> 01:53:27.090

Town of Freedom: You can't strip the legislative rights of a future board of the future town meeting. So, the answer to your question is...

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01:53:27.240 --> 01:53:29.379

Town of Freedom: I don't have all the rights in the loop on.

840

01:53:30.540 --> 01:53:38.640

Town of Freedom: Family moved into town with a whole truckload of money, and they bought all the land on both sides of this road. They could get it changed back to a down road.

841

01:53:39.270 --> 01:53:41.710

Town of Freedom: Obviously, motor vehicles, and everything.

842

01:53:42.160 --> 01:53:43.260

Town of Freedom: Well, they...

843

01:53:43.470 --> 01:53:49.629

Town of Freedom: If the town meeting voted for that, and decided to spend a boatload of money to put a roof up through there, she'll...

844

01:53:51.530 --> 01:53:53.550

Town of Freedom: That's all I've got.

845

01:53:54.670 --> 01:54:03.260

Town of Freedom: Thank you, John.

846

01:54:04.420 --> 01:54:22.879

Town of Freedom: Our apologies. Our apologies for the, failing batteries. It says the battery's full, but... okay. Who knows? Gremlins. Next up is Beth Powell, then Tim Biggs, and then Catherine Hadiniak. I can see by all my questions have been answered.

847

01:54:23.080 --> 01:54:24.600

Town of Freedom: Okay, Tim?

848

01:54:24.760 --> 01:54:29.839

Town of Freedom: Still here? Tim Biggs, and then Catherine Hadeniak.

849

01:54:35.390 --> 01:54:44.689

Town of Freedom: Can you hear me? Oh, yeah. So, 15 years ago, the town will was filled with the windmills.

850

01:54:46.030 --> 01:54:49.209

Town of Freedom: By voting 3 times to approve.

851

01:54:50.160 --> 01:54:53.569

Town of Freedom: The same people that are supporting closing the road.

852

01:54:54.750 --> 01:55:01.169

Town of Freedom: were in opposition, and they hired a bulldog lawyer to Try to divert.

853

01:55:01.860 --> 01:55:03.650

Town of Freedom: the town from voting history.

854

01:55:05.100 --> 01:55:07.009

Town of Freedom: Same thing has happened now.

855

01:55:07.210 --> 01:55:08.090

Town of Freedom: B.

856

01:55:09.060 --> 01:55:14.030

Town of Freedom: You know, Talent's Will is being... the burden.

857

01:55:14.500 --> 01:55:22.959

Town of Freedom: Damn... It's with people with resources. I mean, we don't have the resources to compete with this.

858

01:55:23.340 --> 01:55:29.270

Town of Freedom: So, as sad as that is, I... I guess I could live with this.

859

01:55:29.740 --> 01:55:31.470

Town of Freedom: Start the... Okay.

860

01:55:31.990 --> 01:55:37.509

Town of Freedom: But I can't live with these... all these caveats. I mean, we have...

861

01:55:38.030 --> 01:55:41.000

Town of Freedom: We have 15 feet of road that we can travel.

862

01:55:41.170 --> 01:55:42.969

Town of Freedom: We don't know who's gonna...

863

01:55:43.410 --> 01:55:50.059

Town of Freedom: determine where this road is. If you let your dog off the leash, how's he gonna stay in that 15 feet?

864

01:55:51.270 --> 01:55:53.939

Town of Freedom: Does the town have to pay for a survey?

865

01:55:54.550 --> 01:56:01.380

Town of Freedom: That's crazy. No loitering? This is not the main I moved to 50 years ago.

866

01:56:01.970 --> 01:56:16.390

Town of Freedom: I feel quite qualified to criticize people from anywhere else who want to come over and close off the rights to everybody else. And there's so much lawyer language in this, I...

867

01:56:17.150 --> 01:56:22.849

Town of Freedom: I don't... we don't need this. There's no other town road that has this kind of

868

01:56:23.730 --> 01:56:28.200

Town of Freedom: stuff in it, I mean... No hunting, of course, yeah, okay.

869

01:56:28.900 --> 01:56:34.630

Town of Freedom: No loitering. I keep going back to that. I mean, come on. And we can't go up there at night?

870

01:56:34.920 --> 01:56:40.109

Town of Freedom: To watch the stars without a two-day notice, a written notice, no less.

871

01:56:40.590 --> 01:56:46.750

Town of Freedom: this is just way overdone, and I'm sorry, Bill, maybe this was... you were part of this, but...

872

01:56:47.660 --> 01:56:53.970

Town of Freedom: I just want to go back to the old Maine, where people could walk on roads and not be bothered by these people that walk.

873

01:56:55.950 --> 01:56:59.410

Town of Freedom: Maybe I won't. Anyway, thank you.

874

01:57:12.150 --> 01:57:15.230

Town of Freedom: Okay, so Catherine Fedinia is next.

875

01:57:16.000 --> 01:57:19.850

Town of Freedom: Then, Tim, you have another go at it. You were listed twice.

876

01:57:20.100 --> 01:57:21.979

Town of Freedom: Tim Turner, you'll know.

877

01:57:22.880 --> 01:57:30.449

Town of Freedom: Do you want to speak after Catherine? Changed mind? Yes? Okay, you got it.

878

01:57:31.650 --> 01:57:33.830

Town of Freedom: Okay, okay.

879

01:57:35.270 --> 01:57:49.400

Town of Freedom: Oh, here we go. Okay, so, Laura, I just wanted to respond to something you said. Just because you didn't notice a sentence prior to when you noticed it doesn't mean that it wasn't there. It wasn't. It's not appreciated to insinuate that we were trying to sneak something in.

880

01:57:49.750 --> 01:57:52.229

Town of Freedom: Anyways, I came here to Hulu.

881

01:57:53.460 --> 01:58:08.830

Town of Freedom: put the idea to rest that the public is losing their right to snowmobile and ATV on Beaver Ridge Road. Current law already prohibits the use of these within 200 feet of a dwelling, and snowmobiles are prohibited on a privately plowed road.

882

01:58:08.830 --> 01:58:15.210

Town of Freedom: Probably the only thing not in dispute is the fact that after the paid portion, it's all privately maintained, therefore

883

01:58:16.110 --> 01:58:17.490

Town of Freedom: That's alright.

884

01:58:23.080 --> 01:58:26.740

Town of Freedom: Catherine, I would just want to say that

885

01:58:26.980 --> 01:58:39.419

Town of Freedom: as... as was pointed out before, different drafts had different language. And so, again, from RC, there were... there was points that sentence was there, and there were points that it wasn't, so...

886

01:58:39.680 --> 01:58:42.409

Town of Freedom: Just... just want to clarify... just to clarify.

887

01:58:44.990 --> 01:58:48.529

Town of Freedom: Well... truly hate doing this.

888

01:58:48.650 --> 01:59:04.690

Town of Freedom: But I've been here in town going on 60 years as Clinton.

889

01:59:06.120 --> 01:59:13.329

Town of Freedom: I don't enjoy getting our ropes taken away from us. Not that I use it, because I've never really been up there.

890

01:59:13.990 --> 01:59:18.360

Town of Freedom: I don't want to be impression into a decision Because of money.

891

01:59:19.220 --> 01:59:25.029

Town of Freedom: We have a right to... Stand to our ground, that's what we feel is correct.

892

01:59:25.160 --> 01:59:29.389

Town of Freedom: I respect the hidden units, I respect the Poices and the Bennett's.

893

01:59:30.150 --> 01:59:34.969

Town of Freedom: But I also think that this stuff doesn't need to happen in town freedom.

894

01:59:35.630 --> 01:59:36.900

Town of Freedom: Red Mitchell?

895

01:59:37.040 --> 01:59:41.089

Town of Freedom: And the top board made this decision back in 1956.

896

01:59:42.430 --> 01:59:44.910

Town of Freedom: Times change as we go along, I get that.

897

01:59:45.700 --> 01:59:46.660

Town of Freedom: But...

898

01:59:46.930 --> 02:00:00.830

Town of Freedom: tell me that I can't ride a horse up there without moving the dog out of the way, would be telling me that I can tell all the farmers around when they go by my house to spread their honey wagons yet, they gotta move their stuff out of the way. Okay? I love my farmers.

899

02:00:00.970 --> 02:00:09.809

Town of Freedom: But I don't enjoy smelling this yet. Nothing I can do about that. Certain things in life we have no choice on. He chose to live here under the rules that dictate it.

900

02:00:10.300 --> 02:00:12.790

Town of Freedom: Stand firm in your honest, okay?

901

02:00:13.410 --> 02:00:15.749

Town of Freedom: But I guess.

902

02:00:23.540 --> 02:00:30.630

Town of Freedom: Hagar, and I'm going to suggest that we go through the names and catch up on the correspondence at the end.

903

02:00:34.490 --> 02:00:37.440

Town of Freedom: DJ Hagar, and then Tom Clay.

904

02:00:37.870 --> 02:00:39.329

Town of Freedom: And then Steve Bennett.

905

02:00:41.780 --> 02:00:43.120

Town of Freedom: Just gonna assume that's a doctor.

906

02:00:44.350 --> 02:00:45.420

Town of Freedom: A lot of newspaper.

907

02:00:52.450 --> 02:00:53.339

Town of Freedom: Look for the light.

908

02:00:54.290 --> 02:00:55.569

Town of Freedom: Batteries are dying.

909

02:00:56.060 --> 02:00:58.699

Town of Freedom: They read full, but, I mean...

910

02:01:00.110 --> 02:01:03.400

Town of Freedom: There we go. Alrighty. Great, good morning, close.

911

02:01:04.090 --> 02:01:05.370

Town of Freedom: Real close for it, though.

912

02:01:05.620 --> 02:01:06.380

Town of Freedom: Definitely.

913

02:01:06.650 --> 02:01:12.629

Town of Freedom: I'll speak loudly. So, I appreciate the diligent work, that the individuals have put into getting us to this point.

914

02:01:13.260 --> 02:01:15.680

Town of Freedom: I appreciate the spirit of compromise that's in the air.

915

02:01:15.990 --> 02:01:20.800

Town of Freedom: And, we all do want to put this behind us and return to being good neighbors to one another, and look forward to the future.

916

02:01:21.680 --> 02:01:36.030

Town of Freedom: This issue has gone through extensive community process. Residents, volunteers, and town officials spent countless hours researching records, gathering testimony, and trying to understand the historical truth about this road, and that work was done openly, collectively, through normal, civic process.

917

02:01:36.410 --> 02:01:45.279

Town of Freedom: Through that effort, many residents came to understand that a public easement exists. And that understanding didn't come from conflict, it came from careful research and community participation.

918

02:01:45.660 --> 02:01:52.379

Town of Freedom: What concerns me now is that this long public process risks being set aside by a negotiated settlement.

919

02:01:52.580 --> 02:02:00.180

Town of Freedom: That goes far beyond answering the original legal question. Instead of simply determining status, they would permanently define how this road is used for generations.

920

02:02:00.430 --> 02:02:05.379

Town of Freedom: I recognize that people can interpret history differently, and I don't see this as anyone acting in bad faith.

921

02:02:05.640 --> 02:02:17.910

Town of Freedom: But I do believe the town should be cautious about allowing a small number of parties, through litigation and settlement to override a community-driven process and establish rules that future residents may never have the ability to revisit.

922

02:02:18.370 --> 02:02:26.670

Town of Freedom: I'm very uneasy with the language that makes permanent findings about past conduct, and specifically statements suggesting prior postings of the road were reasonable or in good faith.

923

02:02:26.930 --> 02:02:37.930

Town of Freedom: When the goal here should simply be clarifying the road's legal status. I asked the Select Board to reject any settlement that compromises long-standing public access, just as I asked with my letter back in January.

924

02:02:38.170 --> 02:02:44.900

Town of Freedom: And to allow the underlying question to be resolved in a way that preserves community governance going forward, so please reject the consent degree. Thank you.

925

02:02:50.060 --> 02:02:52.369

Town of Freedom: Play? I'll be wrong.

926

02:02:53.420 --> 02:02:54.939

Town of Freedom: Steve Bennett.

927

02:02:58.120 --> 02:03:01.320

Town of Freedom: And then Joey created ours.

928

02:03:02.260 --> 02:03:02.960

Town of Freedom: Beautiful.

929

02:03:12.580 --> 02:03:13.470

Town of Freedom: Morning.

930

02:03:14.530 --> 02:03:16.829

Town of Freedom: Born, right, Missouri.

931

02:03:18.830 --> 02:03:31.969

Town of Freedom: This consent decrees is compromise. Neither party's getting everything they want, but both sides get something. An agreement allowing foot access with a small field crossing while crossing is a reasonable use of the dirt trail.

932

02:03:32.270 --> 02:03:41.789

Town of Freedom: A lot of ATVs and side-by-sides of the size involved that can be brought today is a clear use of dirt trails the wrong kind of weather.

933

02:03:42.120 --> 02:03:46.209

Town of Freedom: No matter who owns... where your vehicle owns the road, that's an abuse of the road.

934

02:03:46.450 --> 02:03:56.250

Town of Freedom: Allowing the Beaver Ridge Road to be used the way it was last spring will only please the mud runners and cause more erosion in the road and land down south of the road.

935

02:03:56.360 --> 02:04:02.620

Town of Freedom: ATV trailer that I have been on are usually form railroad trails. They can stand up to almost anything.

936

02:04:03.410 --> 02:04:17.739

Town of Freedom: When 200 years ago, towns created a public easement road, it did two things. The first was to create an easement for the public to use someone else's land. The second was to create an obligation for the town to maintain the easement.

937

02:04:18.370 --> 02:04:31.599

Town of Freedom: Then, when towns voted decades later to discontinue an old road, it meant town would no longer be required to maintain it, and most of those discontinuing boats also retained the right of public use.

938

02:04:32.210 --> 02:04:37.190

Town of Freedom: What these later votes, mostly in the 30s through the 50s.

939

02:04:37.250 --> 02:04:52.950

Town of Freedom: did not do was to express an intent for the public to be allowed to misuse a road over which a public easement was retained, and likewise, there was no language in any discontinuance that I've ever read that prevented misuse either.

940

02:04:53.500 --> 02:04:58.520

Town of Freedom: At the time, power sports vehicles like we have today did not exist.

941

02:04:59.220 --> 02:05:10.090

Town of Freedom: There are at least another 20 miles of old relative freedom, some discontinued by the town vote, and the majority of them simply abandoned by the town, with no formal action at all.

942

02:05:10.140 --> 02:05:21.490

Town of Freedom: Many of these old roads have people living on them today, all over town. On my hill, there are... when we moved there, that was my house, and that was it. It was basically a hunting camp.

943

02:05:21.660 --> 02:05:29.490

Town of Freedom: Now there are 8 homes up there that people live in and pay taxes, and only 2 of them buy house.

944

02:05:29.830 --> 02:05:35.970

Town of Freedom: And my neighbors house just up the hill are on the maintained portion of the road. You get people living all over town.

945

02:05:36.210 --> 02:05:40.119

Town of Freedom: on non-maintained roads. We gotta keep that in mind.

946

02:05:41.340 --> 02:05:44.170

Town of Freedom: When we vote to use them in one of the baggage.

947

02:05:44.280 --> 02:05:50.439

Town of Freedom: Steve? Steve? Yeah, I'm welcome to get that roll.

948

02:05:50.580 --> 02:05:59.449

Town of Freedom: Citizens living on these non-maintained roads pay taxes to pay for all town-maintained roads. Then they pay out of pocket again to maintain the road they live on.

949

02:06:01.530 --> 02:06:03.220

Town of Freedom: Freedom is not alone.

950

02:06:03.330 --> 02:06:04.800

Town of Freedom: this change...

951

02:06:05.050 --> 02:06:14.439

Town of Freedom: has occurred across the state. Now these towns are growing again. We have a few choices. Reopen the roads for maintenance, and pay for them with our tax money.

952

02:06:14.560 --> 02:06:22.510

Town of Freedom: Let the citizens who built the homes on these old roads, who spent thousands of dollars to bring them up, keep on paying for them.

953

02:06:22.870 --> 02:06:26.840

Town of Freedom: I'll create a reasonable compromise for these old roads and trails.

954

02:06:26.960 --> 02:06:30.899

Town of Freedom: The damage that happened to the road upon a hill should not be an option.

955

02:06:31.320 --> 02:06:37.559

Town of Freedom: This decree or some version of it could be used as a model for walking paths on other roads in town.

956

02:06:37.770 --> 02:06:40.950

Town of Freedom: And, lastly, I'd like to mention,

957

02:06:41.050 --> 02:06:52.220

Town of Freedom: In 2024, they passed a \$20 billion bond issue called the VIN Trails Program. Thank you. Thank you. All right.

958

02:06:53.460 --> 02:07:12.889

Town of Freedom: Just to... to follow up on Steve's last point about that... that trail bond, which you brought up at the Select Board meeting last week, I just want to comment that that's a really great opportunity for the town. However, private citizens, road associations cannot apply for that, only municipal

959

02:07:12.890 --> 02:07:18.620

Town of Freedom: public entities, land trusts, can do so. That trail or another area of town.

960

02:07:18.620 --> 02:07:27.709

Town of Freedom: is under public jurisdiction, they have access to that funding, private residents do not. So, just wanted to clarify that.

961

02:07:28.100 --> 02:07:30.260

Town of Freedom: Yes, public groups do.

962

02:07:31.180 --> 02:07:33.900

Town of Freedom: Has to be a non-profit or a public entity.

963

02:07:35.600 --> 02:07:36.410

Town of Freedom: Thanks.

964

02:07:37.090 --> 02:08:01.099

Town of Freedom: Hey, I can hear myself great. So, I'm Jody Freeman, I live here in Freedom on Raven Road. Avid cyclist, I've been following this closely. I spend a lot of time cycling in New Hampshire and Vermont and other parts of New England, where they do have class systems for their roads, so as these roads deteriorate, they get different rankings, and I do wonder how this consent decree could affect something like that in the future. You could see Maine

965

02:08:01.250 --> 02:08:18.800

Town of Freedom: easily adopting that kind of methodology moving forward, and so I wonder if we're kind of selling ourselves short by signing this document to any kind of class system in the future, which would, I think, be more beneficial for everybody in the town. It would leave it open, you know, open for ATV traffic and things like that. It's not uncommon.

966

02:08:18.800 --> 02:08:38.349

Town of Freedom: when I'm cycling into the water and effort to see, you know, horse traffic, foot traffic, on motorcycles, and four-wheelers, and all sorts of things, and it works out just fine. It works out for them. And I think it could work here, too. You know, I would just like to echo, I think, Tim Turner's thoughts on the matter, and a lot of other folks who are feeling like

967

02:08:38.370 --> 02:08:55.159

Town of Freedom: This may not be the best move for the time. I'm fully confident in our attorneys' abilities here to, pursue freedom... pursue freedom's best interests in retaining, this right of way for the citizens here. So, I think that's all I've got to say. Thank you. Thank you.

968

02:09:02.440 --> 02:09:08.999

Town of Freedom: Next is Bob Kanzler, and he's the last one on the list. I will say that,

969

02:09:09.340 --> 02:09:18.829

Town of Freedom: Roberta Manter has signed up. She's not, a resident, and so we are declining that request.

970

02:09:20.070 --> 02:09:25.250

Town of Freedom: I get the last word, you know, I might not be in my... I might...

971

02:09:25.400 --> 02:09:30.730

Town of Freedom: One thing I want people to realize is that we have two burial grounds up there.

972

02:09:31.400 --> 02:09:34.369

Town of Freedom: Ambiva Ridge Road. Once eat it out.

973

02:09:34.490 --> 02:09:39.249

Town of Freedom: The other one's in... has not been found. We know what the deed is. Killer is.

974

02:09:39.570 --> 02:09:42.890

Town of Freedom: And it would be posted this spring. Number two.

975

02:09:43.170 --> 02:09:54.150

Town of Freedom: The water runoff and the damage that Steve Bennett was talking about is no different than the damage that he quoted in the meeting, that he diverted water down the old roadway.

976

02:09:55.440 --> 02:10:06.549

Town of Freedom: That's in a public meeting. Number three, if any of your folks were walking on a trail, skiing, snowshoeing, or doing anything, and a snowmobile of her comes across you.

977

02:10:07.190 --> 02:10:09.740

Town of Freedom: And you were hurt, you sprained an ankle!

978

02:10:10.020 --> 02:10:12.710

Town of Freedom: They ain't gonna zoom by you and leave you there.

979

02:10:12.810 --> 02:10:14.409

Town of Freedom: They're gonna go get you help.

980

02:10:14.580 --> 02:10:15.890

Town of Freedom: But they're killing me.

981

02:10:16.850 --> 02:10:22.940

Town of Freedom: 95% of the people that drive these trails with ATV or snowmobile, they cut brush.

982

02:10:23.050 --> 02:10:24.609

Town of Freedom: They removed trees!

983

02:10:25.260 --> 02:10:27.000

Town of Freedom: They keep the way clean.

984

02:10:27.550 --> 02:10:33.230

Town of Freedom: Don't blame it on the four-wheelers. Don't blame it on the bikers. Don't blame it on the hikers.

985

02:10:33.370 --> 02:10:36.009

Town of Freedom: We take 35 horses down through there.

986

02:10:36.150 --> 02:10:43.409

Town of Freedom: In the spring of the year, what are you gonna have? You're gonna have a leaf matter, which is 8 inches deep, that's gonna be destroyed.

987

02:10:43.980 --> 02:10:46.990

Town of Freedom: Underneath that 8 inches is hot tan.

988

02:10:47.210 --> 02:10:48.470

Town of Freedom: It's a road.

989

02:10:49.180 --> 02:10:52.410

Town of Freedom: When I come into this town, I come to the town swag board.

990

02:10:52.680 --> 02:10:58.919

Town of Freedom: to ask if I could clean the roads, the county roads, that was given back to the town in 1976.

991

02:10:59.440 --> 02:11:01.759

Town of Freedom: I was never told no.

992

02:11:02.040 --> 02:11:15.130

Town of Freedom: I was allowed to use my ATV, I was allowed to use my flippers, my chainsaw, my fuel, and even offered to donate my time to the town at no cost.

993

02:11:15.550 --> 02:11:22.180

Town of Freedom: The town did spend money on this road to remove snow one year for the hitting acts.

994

02:11:23.930 --> 02:11:25.310

Town of Freedom: with a loaner.

995

02:11:25.640 --> 02:11:39.009

Town of Freedom: So, for them to say that the town has never spent any money on this road, they are wrong. One minute's up. My town's getting close. Now, for any of you people who think this decree is a good idea, I think it sucks.

996

02:11:39.930 --> 02:11:41.350

Town of Freedom: my opinion.

997

02:11:42.150 --> 02:11:46.359

Town of Freedom: And that's the way I'm gonna leave it.

998

02:11:51.890 --> 02:11:53.100

Town of Freedom: Honestly.

999

02:11:53.250 --> 02:12:08.989

Town of Freedom: Can I ask a question about... I was prepared to ask this question if I was not allowed to speak, but don't... you're saying you're not going to allow somebody else to speak that's not a resident. Do you have... Can I finish my question? I know where you're going, but you go for it. Oh, be respectful if I at least get my words out.

1000

02:12:09.110 --> 02:12:15.070

Town of Freedom: Don't you have to officially vote as a panel of three to allow somebody to speak at this meeting? This is a select board meeting.

1001

02:12:15.070 --> 02:12:37.670

Town of Freedom: Not the whole body. So, if you're going to deny, I'd like to see if that actually is going to be... So, Roberta Manter, asked, to speak. She put her name down here. We've discussed it. We will vote, for you. The reason we decided against that is the other two members who were not residents who spoke, yourself and your brother, are abutters.

1002

02:12:37.710 --> 02:12:42.810

Town of Freedom: Ms, Manter, she is a

1003

02:12:42.810 --> 02:13:01.730

Town of Freedom: self-proclaimed expert on this, but she came into this from the very beginning because Tyler Hedinak had reached out to her. Oh, I did. And I have it in email, from Ms. Manter that she acknowledged that Tyler reached out, so...

1004

02:13:01.910 --> 02:13:15.990

Town of Freedom: it's an expert that was representing with him. I have that in an email. So, but we can go ahead and we can vote right now whether or not we want to allow her to speak. I want to speak. I invited her to this meeting. Please be quiet.

1005

02:13:16.010 --> 02:13:23.759

Town of Freedom: Okay, would you go? I move that we, decline Roberta Manter's, request to speak. I think fine.

1006

02:13:23.940 --> 02:13:40.300

Town of Freedom: Well, you had seconded. I second it. Okay, any more discussion? This being a meeting where we're trying to get a sense of the pulse of the town, my own thought about this is that, we should ask you if you want to hear her, and, and go with that.

1007

02:13:41.030 --> 02:13:48.879

Town of Freedom: We have a... we have a motion. And I spoke to the motion. So... Are you requesting that we withdraw the motion? No.

1008

02:13:49.180 --> 02:13:50.060

Town of Freedom: Okay.

1009

02:13:50.190 --> 02:14:04.370

Town of Freedom: So, a straw vote, you... a straw vote of the... of the... those here? I... that's what I would propose. Here's a motion on the floor. We do have a motion, so can we vote on that motion now first?

1010

02:14:04.560 --> 02:14:08.679

Town of Freedom: Sure. Okay, all those in favor of your motion, raise your hand.

1011

02:14:08.950 --> 02:14:10.230

Town of Freedom: Okay.

1012

02:14:10.820 --> 02:14:29.489

Town of Freedom: All right, do you want to go ahead and read these? Yeah, I'll bellow. Okay. And by the way, as we started to receive these, I had a thought in the back of my mind that, if anybody's comments were more than 750 words, we would summarize them.

1013

02:14:29.490 --> 02:14:35.410

Town of Freedom: But, this one's close, but nobody passed the 750, so bear with me.

1014

02:14:35.460 --> 02:14:53.629

Town of Freedom: From Bobby Gannon, to Selectman Select Board, I would like to comment on the proposed agreement for the Beaver Ridge Road. By agreeing to the terms that are written, giving ownership to the road of the... to the abutters will set a precedence not only in freedom, but also in all of Maine.

1015

02:14:53.690 --> 02:15:02.370

Town of Freedom: It basically says that if you live on an unmaintained road, just sue your local town, and they will give you the road to avoid mounting legal fees.

1016

02:15:02.510 --> 02:15:12.799

Town of Freedom: How is it that this road that was said to be 3 rods wide, which is approximately 45 feet, gets reduced down to a path of 15 feet wide?

1017

02:15:12.860 --> 02:15:29.710

Town of Freedom: This road should be retained by the town at its original size. If the road is later put back into use, this full width will be needed. In Maine, the standard road width is 20 to 24 feet or wider if the road has gravel shoulders.

1018

02:15:29.820 --> 02:15:32.749

Town of Freedom: And each travel lane is 10 to 12 feet wide.

1019

02:15:34.100 --> 02:15:46.379

Town of Freedom: It is clear that the Hedeniacs were either misled or simply misunderstood what they were being told by Red Mitchell, who may not have been acting as a selectman when they had the conversation about who would control the road.

1020

02:15:46.400 --> 02:16:04.729

Town of Freedom: That being said, that is who they should be suing. Since Redd has since passed, and maybe they didn't like his answer, the town is a new scapegoat. I find it curious that two of the former selectmen live on the same road, yet the Hedeniacs never moved to resolve this matter then.

1021

02:16:04.800 --> 02:16:12.770

Town of Freedom: Almost like it really is not an issue. Keep in mind, this was a public road long before the plaintiffs moved to the area.

1022

02:16:13.480 --> 02:16:29.540

Town of Freedom: I find the restrictions being placed on the road to be too restrictive. If the people are restricted, then the abutters should have to follow the same guidelines. Here are some examples. Snowmobile clubs can ask for permission from the relevant landowners. They will just say no.

1023

02:16:29.750 --> 02:16:36.479

Town of Freedom: No parking of motorized vehicles anywhere on the disputed portion of the road, and pick up your horse manure.

1024

02:16:36.600 --> 02:16:55.060

Town of Freedom: This portion of the road is one and a half miles long, and yet you cannot park anywhere nearby. No one is going to walk one and a half miles to pick up horse manure, so we must not take the chance that our horses may have a call of nature while out riding. Basically, no horses are to be on the road.

1025

02:16:55.350 --> 02:17:08.270

Town of Freedom: No electronic sounds, that is, no cell phones, as you may get a phone call. If this applies to those using the road, this should also apply to the plaintiffs. Leave your cell phones in your house.

1026

02:17:08.690 --> 02:17:19.869

Town of Freedom: No use of the disputed portion of the road during certain hours, basically dark. This should also apply to the residents as well. Don't work late, and do not leave your house before setup.

1027

02:17:20.000 --> 02:17:33.340

Town of Freedom: No loitering inside of the residences. The residents should be... should put up a fence if they don't want to see people. I'm out for a walk, and I get tired, God forbid, and the resident can see me resting.

1028

02:17:34.889 --> 02:17:49.290

Town of Freedom: Town will post on the town website indefinitely, and in the town office, open parentheses, like, quote, look at what we did to our town, and you can do this too, exclamation point. End quote.

1029

02:17:49.459 --> 02:17:54.670

Town of Freedom: This should not be posted. If it needs to be posted anywhere, it should be on the road that is affected.

1030

02:17:54.959 --> 02:18:01.939

Town of Freedom: I... and I do give my permission for this to be read aloud at the February 28th meeting, either in part or in full.

1031

02:18:08.400 --> 02:18:09.530

Town of Freedom: Right along the coast.

1032

02:18:09.680 --> 02:18:11.990

Town of Freedom: And this is from Carol Bodie.

1033

02:18:12.139 --> 02:18:14.070

Town of Freedom: To whom it may concern.

1034

02:18:14.700 --> 02:18:19.819

Town of Freedom: Gwen Littlefield's parents, Roger and Edie Littlefield, built a huge sled on runners.

1035

02:18:19.920 --> 02:18:26.669

Town of Freedom: That Pat and Mike are Belgian forces pulled in 20 of us residents with the greatest sleigh rights we ever could have.

1036

02:18:26.780 --> 02:18:31.929

Town of Freedom: The Belgians had sleigh bells on them, and through the deep snow we went up the Beaver Ridge.

1037

02:18:32.070 --> 02:18:32.930

Town of Freedom: Commute Town Road.

1038

02:18:33.190 --> 02:18:35.729

Town of Freedom: the snow. What community fun we had.

1039

02:18:36.000 --> 02:18:41.119

Town of Freedom: Edie Littlefield and I rode horses for years, all through ever that part of

1040

02:18:41.270 --> 02:18:47.080

Town of Freedom: Beaver Ridge Road, Oak Lane, the Davis Road, Rollins Road, the Dump Road, now the Mitchell Road.

1041

02:18:47.250 --> 02:19:05.320

Town of Freedom: I've snowmobiled, used our ATVs with my family, and plenty other families in freedom. Snowmobiles in the winter was awesome. Our entire family, the entire Richardson family, a lot of family members, and the Turners, the Spaldings, the Littlefields. Snowmobile clubs look forward to cleaning, clearing, driving all the old roads.

1042

02:19:05.330 --> 02:19:10.500

Town of Freedom: for their members to ride on those back roads, the way to Sandy Pond and beyond.

1043

02:19:10.530 --> 02:19:16.150

Town of Freedom: Plenty of hunters, too, use these discontinued roads, hunting ravaged steer, coyote, etc.

1044

02:19:16.500 --> 02:19:21.709

Town of Freedom: 60 to 70 years of family recreational activities, which we all love and still do.

1045

02:19:21.820 --> 02:19:35.610

Town of Freedom: Town of Freedom to even be thinking for one second to take away the citizens of freedom in Maine, because... because one New Jersey individual who does nothing outdoors doesn't like it. I'm sorry, for this. I don't necessarily want to continue that.

1046

02:19:35.799 --> 02:19:41.450

Town of Freedom: People do not want to lose their community rights and their rights to use our public easement.

1047

02:19:41.670 --> 02:19:53.689

Town of Freedom: For someone who wants to increase the size of their property and prevent other owners from getting to their property. It's really bad that the folks running this town have not been here long enough to know what is going on.

1048

02:19:54.000 --> 02:20:08.519

Town of Freedom: just for the town's knowledge and information, the culverts right past the Hediniac's last drive... driveway on Beaver Ridge Road were all pushed out of the way by the Hediniaks plowing their snow for years and years, pushing the snow back as far as they could.

1049

02:20:08.620 --> 02:20:26.129

Town of Freedom: to block the road so no one could use the discontinued town road. They ran over these culverts again and again to move them so no one could pass. In doing so, the victim had flooded their own properties. They're trying now to blame someone else. Thank you for your attention to this very sensitive issue. Now and forever cannot be changed.

1050

02:20:26.280 --> 02:20:40.369

Town of Freedom: Probably longer than 750 words, but... Nope, good. Yep. Let me... Go ahead. Yep. From Karen and Kerry Bohannon.

1051

02:20:40.650 --> 02:20:42.039

Town of Freedom: Good day, Selectman.

1052

02:20:42.250 --> 02:20:45.690

Town of Freedom: Carrie and I wanted to let you know our thoughts on this subject.

1053

02:20:45.810 --> 02:20:52.519

Town of Freedom: Carrie and I agree the town has limited resources. The town has spent a fair amount of time and money on this road issue.

1054

02:20:52.690 --> 02:20:56.580

Town of Freedom: We believe the time has come to stop and to take the settlement.

1055

02:20:56.730 --> 02:21:11.230

Town of Freedom: The people of freedom will still be able to enjoy access to this portion of the Beaver Ridge Road for non-motorized activities. Our tax dollars should be used to better the whole of our community. Best regards, Karen and Terry Bohan.

1056

02:21:13.360 --> 02:21:22.169

Town of Freedom: Doug Van Boren, I totally support the new proposal for settling the lawsuit between the town and the Hadiniacs. I think it's a good compromise.

1057

02:21:24.800 --> 02:21:27.670

Town of Freedom: from, Apprentice Grassy.

1058

02:21:28.140 --> 02:21:32.800

Town of Freedom: Thanks for all your efforts to try and resolve the situation on the Beaver Ridge Road.

1059

02:21:32.930 --> 02:21:39.569

Town of Freedom: I hope the public hearing tomorrow helps clarify your decision, and that people generally behave.

1060

02:21:39.680 --> 02:21:49.919

Town of Freedom: I'll have to reassure him on that, right? He wasn't. I plan to attend, but don't plan... don't expect to speak. I thought I would write a quick note here to summarize my thoughts.

1061

02:21:50.150 --> 02:21:56.569

Town of Freedom: In general, I'm interested in how we resolve this dispute, but have no particular interest in the outcome.

1062

02:21:56.790 --> 02:22:05.790

Town of Freedom: I understand the plaintiff's issues, and I'm sympathetic to their lawsuit, but I also do not think the town should readily give up public access where we have it.

1063

02:22:06.100 --> 02:22:15.800

Town of Freedom: If all individuals at present to whom this particular resolution is important were satisfied with this decree, then I would see no problem in its enactment.

1064

02:22:16.210 --> 02:22:28.740

Town of Freedom: However, if there are people who are unhappy with it, open parentheses, which I sense there are, close parentheses, then my inclination would be to continue with legal proceedings to a conclusive end.

1065

02:22:28.960 --> 02:22:40.420

Town of Freedom: It just seems that a ruling by a judge would be definitive, and therefore accepted by all parties. Open parentheses, of course, there would be losers, close parentheses.

1066

02:22:40.680 --> 02:22:54.729

Town of Freedom: also think it may be better, for you three. Oh, no, no, no matter... I'm sorry, I'm gonna have to read that again. It just seems that a ruling by a judge would be definitive, and therefore accepted by all parties, no matter the outcome.

1067

02:22:55.110 --> 02:23:02.679

Town of Freedom: In the long run, I think this approach may be better for overall town unity. I also think it may be better for you three.

1068

02:23:02.970 --> 02:23:07.700

Town of Freedom: I don't envy you having to accept this decree against the wishes of some townspeople.

1069

02:23:07.820 --> 02:23:11.709

Town of Freedom: By putting it back on the courts, you'd avoid that responsibility.

1070

02:23:12.090 --> 02:23:23.879

Town of Freedom: Like I said, I don't plan to speak up tomorrow. You are welcome to cite my thoughts above, but it is not necessary as far as I'm concerned. Who knows? Maybe my opinion will change after hearing testimony tomorrow.

1071

02:23:24.110 --> 02:23:28.020

Town of Freedom: All the best tomorrow, and thanks again for your work on this. Apprentice.

1072

02:23:32.850 --> 02:23:37.109

Town of Freedom: Drew Fales and Clara Alvarez.

1073

02:23:37.230 --> 02:23:51.429

Town of Freedom: Not able to come today. I think it's time to move on. The consent is hard to accept. We all win if we stop the litigation and legal fees. We all win if we begin to heal. We all win if we all still have access to the road.

1074

02:23:51.900 --> 02:24:03.069

Town of Freedom: Having owned properties on Davies Lane, discontinued Road, and Legis Lane, a private road, people have taken advantage of the free use, meaning no cost to them.

1075

02:24:03.220 --> 02:24:11.190

Town of Freedom: running up the road with ATVs, dust, etc. You may share our input, That's it.

1076

02:24:13.050 --> 02:24:29.660

Town of Freedom: And then, she's gonna read... we had a letter that was submitted to us, and then we have 75 signatures of residents who signed this, and so if you just read it and can just quickly read down through those signatures, yeah.

1077

02:24:29.660 --> 02:24:40.550

Town of Freedom: Can you speak a little louder? Yeah, can you say that again? I'm sorry. So, we had a letter that was submitted to the Select Board.

1078

02:24:40.550 --> 02:24:52.180

Town of Freedom: And we had 75 signatures that followed it, and so Lissa is going to read this letter and go down quickly through the 75 signatures.

1079

02:24:52.270 --> 02:24:53.170

Town of Freedom: Hmm.

1080

02:24:53.450 --> 02:24:56.909

Town of Freedom: 70... 75 people have had a chance to,

1081

02:24:57.010 --> 02:25:14.229

Town of Freedom: Having had a chance to speak with Patrick Terry, and we just want to acknowledge his effort to really, you know, go around town and talk to a lot of different people, and so we're aware this represents, kind of a consensus, a consensus view of those

1082

02:25:14.540 --> 02:25:39.520

Town of Freedom: A resident petition regarding proposed consent decree on Beaver Ridge Road. To the Freedom Select Board. We, the undersigned residents of the Town of Freedom, respectfully request that the Select Board preserve only the portion of the proposed consent decree that affirms the continued existence of a public easement on Beaver Ridge Road, and decline adoption of any provisions that impose ongoing judicial

1083

02:25:39.520 --> 02:25:50.779

Town of Freedom: supervision, private enforcement authority, or restrictions inconsistent with ordinary municipal road governance. Amend the consent decree to answer the only question before the court.

1084

02:25:50.780 --> 02:25:56.450

Town of Freedom: Does a public easement exist? All parties agree that a public easement does exist.

1085

02:25:56.470 --> 02:26:09.899

Town of Freedom: However, the remaining terms of the proposed decree would convert a traditional public easement into a uniquely regulated corridor subject to court enforcement mechanisms and conditions not applied to other townways.

1086

02:26:09.940 --> 02:26:20.960

Town of Freedom: Such provisions exceed customary municipal practice and risk limiting the town's future discretion to manage its own roads through normal legislative and ordinance processes.

1087

02:26:21.100 --> 02:26:40.680

Town of Freedom: Number one, support recognition of the public easement on Beaver Ridge Road, and two, oppose or seek removal of any additional provisions that place enforcement, interpretation, or modification of ordinary road use outside the town's regular authority. Respectfully submitted.

1088

02:26:41.220 --> 02:26:43.990

Town of Freedom: I will do my best to... to read the names.

1089

02:26:44.090 --> 02:26:48.679

Town of Freedom: Adam King, Stan Taylor, Carrie Taylor, Chris Steams.

1090

02:26:49.080 --> 02:26:59.830

Town of Freedom: Chris, Chris, Chris, oh, sorry, Thomas, sorry, Kirk. Roberta, Roberta Travis, Rebecca, Lafreniere,

1091

02:27:00.090 --> 02:27:07.250

Town of Freedom: Julie... Julie Thomas, Steve Holmes, Kim Holmes, Tom Thibodeau.

1092

02:27:08.080 --> 02:27:09.630

Town of Freedom: Kenneth Norland.

1093

02:27:10.470 --> 02:27:22.000

Town of Freedom: Ziggy. Ziggy. Annie Pickford, William Pickford, Gunnar Woods.

1094

02:27:22.200 --> 02:27:31.210

Town of Freedom: Deborah Ludwig, Timothy Biggs, Barbara Littlefield, Ron Littlefield, Phillip?

1095

02:27:32.660 --> 02:27:35.909

Town of Freedom: Deerfield Road, I don't know.

1096

02:27:36.360 --> 02:27:41.149

Town of Freedom: Joe Sears, Rebecca Kantzler, Robert Herman.

1097

02:27:43.900 --> 02:27:46.250

Town of Freedom: Mr. Turner Jr? I don't know, really.

1098

02:27:46.710 --> 02:27:53.250

Town of Freedom: Judy Turner, I mean, Doug Gold?

1099

02:27:54.370 --> 02:27:59.420

Town of Freedom: Gold, the Gold, Brenda Gold, Tim Barney.

1100

02:28:02.590 --> 02:28:07.009

Town of Freedom: Doreen? Doreen? Jorlene Cage?

1101

02:28:07.180 --> 02:28:08.980

Town of Freedom: Christopher Sevaldi?

1102

02:28:10.520 --> 02:28:15.099

Town of Freedom: Robert Kantzler, Michael Krin, Yvonne Corinne.

1103

02:28:16.650 --> 02:28:29.800

Town of Freedom: Dennis Turner, Samantha Turner, Jennifer Turner, Donald Tager, Donald J. Hager, Ryan Willett, Samantha, Spaulding, Joseph Richardson?

1104

02:28:31.290 --> 02:28:32.330

Town of Freedom: Craig.

1105

02:28:32.980 --> 02:28:41.250

Town of Freedom: Craig Sanborn, Joe Richardson, James Hayes, Linda Blanchard, Patrick Terry, Dominic Scaffidi.

1106

02:28:41.390 --> 02:28:48.300

Town of Freedom: Joseph Littlefield, Kendra Littlefield, Alexis Spaulding, Susan Friend, Nicole Barton.

1107

02:28:50.700 --> 02:29:02.819

Town of Freedom: Sorry, a name I can't read off really road. Lysander Palmer, Deborah Palmer, Rich Redwine, Cass Redwine, Cass Redwine, Edith Littlefield, Josh Suter.

1108

02:29:06.640 --> 02:29:08.719

Town of Freedom: Grading suitor.

1109

02:29:09.770 --> 02:29:16.540

Town of Freedom: Keith Overloch, Mike Smith, Willa Dibner, John Ouellette, Sandra Ouellette.

1110

02:29:16.660 --> 02:29:28.070

Town of Freedom: Joseph Freeman, Tina Freeman, Zoe Tardy, Scott Anderson, Tom Slay, Gwen Littlefield, Howard Cupboard. Don't sign that instead.

1111

02:29:34.600 --> 02:29:40.909

Town of Freedom: Do we have any residents who showed up today who didn't put your name on the list, but you want to speak?

1112

02:29:41.680 --> 02:29:45.680

Town of Freedom: Oh, Kirk, okay, we'll let Kirk go, and you can follow him.

1113

02:29:53.830 --> 02:29:54.850

Town of Freedom: Perfect Thompson.

1114

02:30:03.610 --> 02:30:05.240

Town of Freedom: I just have a couple questions.

1115

02:30:07.060 --> 02:30:12.870

Town of Freedom: How does this... how does this... Can't hear you. How does this degree protect the town for the future?

1116

02:30:13.120 --> 02:30:21.250

Town of Freedom: Because it seems to have too many restrictions to protect the town from the future. Can't hear you, brother. I have just a couple questions. How does this...

1117

02:30:21.380 --> 02:30:26.790

Town of Freedom: degree, protect the town from the future. I'd like an answer from Mr. Kelly on that.

1118

02:30:27.090 --> 02:30:33.379

Town of Freedom: Because it has so many restrictions, and we don't know what the future's gonna bring. Like Travis was saying.

1119

02:30:33.710 --> 02:30:38.780

Town of Freedom: what happens if this land gets sold in 30 years? How hard is it to get it back out of the...

1120

02:30:39.180 --> 02:30:43.060

Town of Freedom: Register of deeds, in fact, to a regular road that people are going to use.

1121

02:30:47.310 --> 02:30:49.969

Town of Freedom: I'm asking you the question, sir.

1122

02:30:50.770 --> 02:30:58.230

Town of Freedom: Because I believe you said at the beginning that this was protecting the town for the future. I want to know how that protects the town. Could you bring your microphone up?

1123

02:30:58.710 --> 02:31:01.419

Town of Freedom: Oh, sorry.

1124

02:31:02.770 --> 02:31:04.680

Town of Freedom: So,

1125

02:31:07.940 --> 02:31:15.090

Town of Freedom: Your question is sort of a rhetorical question. How's it going to protect the town from the future? It protects the town from the future based on the terms that are in it.

1126

02:31:15.720 --> 02:31:22.030

Town of Freedom: serves the easement, recognizes that it still exists. That's the first big step.

1127

02:31:22.730 --> 02:31:28.360

Town of Freedom: So, in terms of how it protects the town for the future, it establishes peace, not a small matter.

1128

02:31:29.190 --> 02:31:42.330

Town of Freedom: In terms of the terms, they speak for themselves, so in terms of how it protects, it doesn't protect... I understand that from you. I wanted an answer to the second part of the question. How hard is it to come out of the register of deeds to get this back to a usable road?

1129

02:31:42.660 --> 02:31:57.339

Town of Freedom: Well, if the town wanted to use eminent domain for 25 years and decide to, turn this road into something beyond what it is... So, the quick answer would be, it would be very difficult, right? Kirk, please, please let him answer before he...

1130

02:31:58.670 --> 02:31:59.440

Town of Freedom: Yep.

1131

02:31:59.980 --> 02:32:06.939

Town of Freedom: The town process is a town process. The legislative rights of future town meeting bodies is preserved.

1132

02:32:07.190 --> 02:32:10.410

Town of Freedom: They don't do this very often, but they did it a lot in the 1800s.

1133

02:32:10.720 --> 02:32:15.250

Town of Freedom: So the answer to your question is there's a process, whether you say it's difficult or not.

1134

02:32:16.770 --> 02:32:19.590

Town of Freedom: The town has to have the will to do it, it has to have the promise.

1135

02:32:20.390 --> 02:32:22.490

Town of Freedom: That's typical, maybe, maybe not.

1136

02:32:27.460 --> 02:32:46.699

Town of Freedom: So if we sign this degree, I don't... so if we decide this degree, we're in the same position in 2056 as we was in 1956. We've got the same thing, we do not have a resolution. We have a degree. The town doesn't know exactly if it's theirs or not. We'd have to do this again.

1137

02:32:46.970 --> 02:32:52.710

Town of Freedom: in 30 years, if they wanted to do it. Well, they'd have to do eminent domain, they could do that now if they wanted, correct?

1138

02:32:53.150 --> 02:32:59.160

Town of Freedom: It's the same thing. You're just prolonging it, in my opinion. I think the town needs to get a...

1139

02:32:59.320 --> 02:33:07.299

Town of Freedom: a final resolution from the court to put this to bed and be done with it forever. That's just my opinion.

1140

02:33:09.950 --> 02:33:20.730

Town of Freedom: Was there someone else who was, requesting to speak? Could I ask clarifying a question, though? Yeah. You said that this...

1141

02:33:21.190 --> 02:33:26.520

Town of Freedom: Decree that they admit that it's a public... Yes. Assistant? Yes.

1142

02:33:26.630 --> 02:33:33.159

Town of Freedom: It establishes... the consent decree includes language that establishes

1143

02:33:33.910 --> 02:33:43.869

Town of Freedom: They agree that it exists? Yeah. They agree that it exists. Yes, that's a good point. Thank you!

1144

02:33:49.540 --> 02:33:51.390

Town of Freedom: I apologize.

1145

02:33:52.310 --> 02:33:54.520

Town of Freedom: He just soaked his shoulder, so that's empty?

1146

02:33:56.000 --> 02:34:00.769

Town of Freedom: Couldn't hear you. You just shrugged your shoulders. Is that the lawyer's answer?

1147

02:34:01.950 --> 02:34:19.129

Town of Freedom: I think what the point is that whether... the fine point that you're bringing up is, like, does it establish it, or does it affirm it? The consent decree includes an agreement that it exists.

1148

02:34:22.160 --> 02:34:25.099

Town of Freedom: Anyone else who wants to come up to the mic?

1149

02:34:45.180 --> 02:34:50.820

Town of Freedom: Hi, my name is Zoe Tarney. I also live on Raven Road. Joey's mine.

1150

02:34:51.430 --> 02:34:54.280

Town of Freedom: And we do a lot of biking.

1151

02:34:54.430 --> 02:35:06.719

Town of Freedom: Like, if you... yeah, you've probably seen us around. Oh, sorry, that's fine. And I am from Michigan, the land of, like, a million public forests.

1152

02:35:07.300 --> 02:35:14.969

Town of Freedom: state forests, and I was so excited to move to Maine, where I thought that there would be just a ton of rain and a ton of places to ride my bike.

1153

02:35:15.130 --> 02:35:17.200

Town of Freedom: But...

1154

02:35:17.670 --> 02:35:30.479

Town of Freedom: the only place that I've actually found that's like that is, like, Waldo County, and when we found, Beaver Ridge Road, we were so excited because it could connect just, like, an amazing ride for us.

1155

02:35:30.480 --> 02:35:42.340

Town of Freedom: So, I just want to say that the folks who say that accepting this decree is a win, it doesn't feel that way. I don't think that we should be honey pinchers, I think that we should fight for

1156

02:35:42.510 --> 02:35:55.780

Town of Freedom: access to these places, you know, they don't have all these restrictions. Like, somebody mentioned, you know, God forbid they have to take a break. Even Ridge is a beautiful place. Stop and have a snack if you're on a bike ride.

1157

02:36:04.870 --> 02:36:08.799

Town of Freedom: I think there was a gentleman on back here who wanted to speak.

1158

02:36:10.000 --> 02:36:10.680

Town of Freedom: No.

1159

02:36:12.780 --> 02:36:13.500

Town of Freedom: What's fabulous.

1160

02:36:14.800 --> 02:36:17.790

Town of Freedom: So everyone, no one has any more common.

1161

02:36:19.460 --> 02:36:21.020

Town of Freedom: Huh.

1162

02:36:21.350 --> 02:36:31.199

Town of Freedom: Who's gonna force the, the, music? Yeah. Who's gonna do that?

1163

02:36:32.130 --> 02:36:39.499

Town of Freedom: Nobody's done. If I'm up there, and I... if I happen to leave, well, then no.

1164

02:36:39.700 --> 02:36:47.010

Town of Freedom: That's fine, yeah.

1165

02:36:47.190 --> 02:36:50.279

Town of Freedom: You guys hear him? Yes, we heard him.

1166

02:36:50.990 --> 02:36:55.120

Town of Freedom: I mean, as that is a question that the Select Board has had in an email.

1167

02:36:56.070 --> 02:37:02.190

Town of Freedom: I'm trying to remember, Bill, our answer to you guys.

1168

02:37:04.670 --> 02:37:07.509

Town of Freedom: It has some excellent questions we've received. Yeah.

1169

02:37:09.290 --> 02:37:12.919

Town of Freedom: Well, as we've... as you've heard, it's been dog boots.

1170

02:37:13.020 --> 02:37:14.559

Town of Freedom: Pick it over to the side.

1171

02:37:15.150 --> 02:37:16.920

Town of Freedom: Not a complicated solution.

1172

02:37:17.330 --> 02:37:18.760

Town of Freedom: Divorce boots.

1173

02:37:19.060 --> 02:37:24.340

Town of Freedom: just don't happen when people are walking. That's the... that's the purpose.

1174

02:37:24.410 --> 02:37:42.940

Town of Freedom: Right. The idea is that if they do that within the walking trail, at least... Okay, we're gonna let Bill answer, and then if anyone has any other comments, you can raise your hand and come up to the mic, please.

1175

02:37:45.480 --> 02:37:48.690

Town of Freedom: Can I just say it again? I think Louis will say it, too.

1176

02:37:50.140 --> 02:37:57.240

Town of Freedom: Let's just give it 5 more minutes of any other comments, and then we're going to... Oh, we'd like.

1177

02:37:59.380 --> 02:38:04.479

Town of Freedom: Here we go, folks, let's get some energy going. I got two grandkids.

1178

02:38:05.010 --> 02:38:08.490

Town of Freedom: As we all got, most of us in here probably got creative.

1179

02:38:08.610 --> 02:38:16.129

Town of Freedom: If you don't. Yeah, you don't. Well, you will have someday, maybe. Oh, yeah. But anyways,

1180

02:38:16.380 --> 02:38:18.860

Town of Freedom: My grandkids and I use it quite a bit.

1181

02:38:19.210 --> 02:38:23.889

Town of Freedom: We know she walked through there. The 15-foot right-of-way of my grandson.

1182

02:38:24.160 --> 02:38:31.580

Town of Freedom: Walks off that 15-foot ride opening, and just because I've had beef with the the plaintiffs...

1183

02:38:32.040 --> 02:38:34.500

Town of Freedom: Harassment and everything else.

1184

02:38:34.980 --> 02:38:37.149

Town of Freedom: And he decides to call a sheriff.

1185

02:38:38.500 --> 02:38:43.959

Town of Freedom: It complains that my grandson snowshoed 15 feet off the right-of-way.

1186

02:38:44.540 --> 02:38:46.439

Town of Freedom: And he legally knew that!

1187

02:38:46.670 --> 02:38:50.260

Town of Freedom: Can I answer that? Sure! Here. You need a mic?

1188

02:38:50.530 --> 02:38:51.970

Town of Freedom: I don't, but I'll use it.

1189

02:38:52.330 --> 02:38:55.470

Town of Freedom: So, just for clarity, I mentioned this earlier.

1190

02:38:55.690 --> 02:38:59.790

Town of Freedom: 15 foot is a travel path that's going to be maintained. Right, right.

1191

02:39:00.260 --> 02:39:12.949

Town of Freedom: easement, 40 feet. It's 49 feet wide. No, it's 4 rods, but you're 66 feet. On the deed, it's 4 rods. Read the deed, just transfer it. Please let him... please let him respond.

1192

02:39:13.160 --> 02:39:19.360

Town of Freedom: 3 rods wide, so it's 49 feet wide. So if your grandson, like any other road in town.

1193

02:39:19.560 --> 02:39:22.420

Town of Freedom: Goes on private property. Those same rules apply.

1194

02:39:23.030 --> 02:39:26.720

Town of Freedom: Everywhere in town, it's the same as it is here.

1195

02:39:27.950 --> 02:39:30.599

Town of Freedom: Okay, so what you're saying in the dissent degree.

1196

02:39:30.960 --> 02:39:45.250

Town of Freedom: It's taking a 4-rod row and turning it into a 3-rod row. But here's the point, right? If we sign the consent decree, that is, yes, what we're signing. And I just want to remind everyone

1197

02:39:45.440 --> 02:40:03.209

Town of Freedom: I know that some might be interested in submitting some sort of, what we would consider testimony, or facts on this, or disputing on the rods, and as I've said all along, today is about the consent decree.

1198

02:40:03.210 --> 02:40:09.030

Town of Freedom: If that is what we want to do, then we go forward.

1199

02:40:09.260 --> 02:40:13.320

Town of Freedom: That's what we're gonna do, okay? Alright, is there anyone else

1200

02:40:13.750 --> 02:40:27.070

Town of Freedom: If you have spoken once, I'm going... we're going to give you two minutes, and I'm going to ask that it be something new, okay? Come, Heather. Two minutes.

1201

02:40:28.080 --> 02:40:34.090

Town of Freedom: I just had two quick legal clarifications. One was, about the enforcement issue. To be...

1202

02:40:34.250 --> 02:40:36.489

Town of Freedom: Sorry, to my... can you not hear?

1203

02:40:36.960 --> 02:40:37.960

Town of Freedom: Oh, awesome.

1204

02:40:39.090 --> 02:40:58.739

Town of Freedom: On the enforcement issue, my understanding is that it is enforced under contempt of court, because this is a court order, so there would be no, no recourse to come to the town anymore, and a person would be brought by the plaintiffs directly to court. Is that understanding correct?

1205

02:40:59.000 --> 02:40:59.820

Town of Freedom: No.

1206

02:41:00.040 --> 02:41:02.360

Town of Freedom: Can you... can you elaborate?

1207

02:41:03.150 --> 02:41:04.120

Town of Freedom: Pardons.

1208

02:41:04.490 --> 02:41:09.449

Town of Freedom: individual people in the public are not parties. It wouldn't be helpful to understand.

1209

02:41:10.440 --> 02:41:30.190

Town of Freedom: But this is a court order, and this is... Okay, that's your concern. Okay, so then my other question is really quick. The motion... your motion to dismiss on behalf of the town initially was jurisdictional, and said that 3028A was the ruling statute for the town, not even... that the court didn't even have jurisdiction.

1210

02:41:30.190 --> 02:41:39.640

Town of Freedom: And so I'm wondering now, after having that be your basis of motion to dismiss, you are now presenting a consent decree that voids that

1211

02:41:39.650 --> 02:41:41.969

Town of Freedom: Statutorily compliant decision.

1212

02:41:42.160 --> 02:41:43.649

Town of Freedom: How's that drifting town?

1213

02:41:44.110 --> 02:41:48.359

Town of Freedom: I can't even answer your question, because it's not an accurate question.

1214

02:41:48.620 --> 02:41:50.389

Town of Freedom: How is it not accurate?

1215

02:41:50.920 --> 02:41:55.650

Town of Freedom: Did you not defend the town? Did you... was your motion to dismiss predicated on jurisdiction?

1216

02:41:57.230 --> 02:41:57.960

Town of Freedom: Okay.

1217

02:42:01.130 --> 02:42:01.830

Town of Freedom: That's see.

1218

02:42:07.010 --> 02:42:08.050  
Town of Freedom: We're gonna do...

1219  
02:42:08.540 --> 02:42:23.169  
Town of Freedom: Until 1245, and then we are going to close off comments, and the board is going to deliberate this. It's not so much a question as a clarification to a question that Jolie asked.

1220  
02:42:23.300 --> 02:42:27.540  
Town of Freedom: Once the easement established prior to this...

1221  
02:42:27.870 --> 02:42:35.179  
Town of Freedom: document being written up, or dirt isn't established because of this document, is what I'm trying to figure out.

1222  
02:42:36.620 --> 02:42:41.070  
Town of Freedom: Document agrees that there is a fact, right now.

1223  
02:42:41.520 --> 02:42:43.090  
Town of Freedom: It has been for a couple hundred years.

1224  
02:42:43.260 --> 02:42:46.590  
Town of Freedom: Apologies. Okay, thank you. That's what I was trying to find out.

1225  
02:42:47.030 --> 02:42:47.730  
Town of Freedom: Thank you.

1226  
02:42:50.290 --> 02:43:03.319  
Town of Freedom: I'm not going down. I'm loud enough. Okay. My concern is, well, internal concern, but what I'm going to focus on is to make this portion of the 15 foot wide

1227  
02:43:03.790 --> 02:43:06.360  
Town of Freedom: Right-of-way easement.

1228  
02:43:06.500 --> 02:43:17.419  
Town of Freedom: that the town will be responsible for, that's gonna cause a flying the ointment for a lot of folks like myself that live on the other discontinued roads.

1229

02:43:17.650 --> 02:43:31.500

Town of Freedom: that have been there longer than the idiots, okay? And we're going to maintain that, and as it's mentioned here, well, if there's a tree that falls down, they give themselves the right to remove it. If the town can't get there quick enough to remove the tree.

1230

02:43:32.140 --> 02:43:49.089

Town of Freedom: I've never had anybody tell me who many trees in my old age that had dropped during a living time or anything else, and I gotta tell you, I have a problem with that. I was gonna be responsible for some form of maintenance on that road, and it stops

1231

02:43:49.550 --> 02:43:54.079

Town of Freedom: Right there, the road that breaks Oak Lane, according to them.

1232

02:43:54.310 --> 02:44:08.360

Town of Freedom: All the way to the end of that red line, which includes, all the way, there it hasn't been 3 minutes, all the way to their... to their driveways and beyond. That's a problem. Tom Hole Creek. Thank you.

1233

02:44:09.830 --> 02:44:11.000

Town of Freedom: Elaine.

1234

02:44:15.580 --> 02:44:21.859

Town of Freedom: I'll go this way. I remember we moved quickly, folks, because we are shutting this down in 7 minutes.

1235

02:44:24.990 --> 02:44:37.949

Town of Freedom: Sorry for the delay, but Mr. Pickles has a slight injury from yesterday. He can't hold very well.

1236

02:44:38.950 --> 02:44:44.989

Town of Freedom: One of the things that I wanted to ask about, and... is in September.

1237

02:44:44.990 --> 02:45:02.600

Town of Freedom: 3rd, 1965, there was a law passed by the legislature saying that all of the easement roads had been either abolished or abandoned, and Mr. Kelly, would you be able to elaborate on that? Because it was my understanding anything prior to that

1238

02:45:02.600 --> 02:45:06.070

Town of Freedom: didn't exist. There was null and void.

1239

02:45:07.080 --> 02:45:09.839

Town of Freedom: Are you aware of that law? Because I've seen it.

1240

02:45:14.640 --> 02:45:18.840

Town of Freedom: No single statute ever... Eliminating solid roads.

1241

02:45:19.480 --> 02:45:20.610

Town of Freedom: what happened?

1242

02:45:21.050 --> 02:45:22.820

Town of Freedom: What's that for?

1243

02:45:23.000 --> 02:45:26.069

Town of Freedom: Roads... That were laid out by towns.

1244

02:45:26.710 --> 02:45:29.980

Town of Freedom: After 1965, the year 1965.

1245

02:45:32.000 --> 02:45:33.360

Town of Freedom: it removed

1246

02:45:33.560 --> 02:45:42.579

Town of Freedom: the presumption that they were abandoned, they could be abandoned, without the public use of being retained. So 1965 for Town Roads was a magic year.

1247

02:45:42.900 --> 02:45:44.369

Town of Freedom: Said that,

1248

02:45:46.020 --> 02:45:53.250

Town of Freedom: If the period of time been statutory ban expired after 65, then there will be public use which retain.

1249

02:45:53.700 --> 02:46:00.799

Town of Freedom: 1976, they passed a second statute. That second statute applied to county roads.

1250

02:46:00.910 --> 02:46:07.259

Town of Freedom: And said that the presumption that if a road was abandoned, there was no public easement left, when it can.

1251

02:46:07.420 --> 02:46:13.859

Town of Freedom: So long as the 30-year period of abandonment expired after 1976. It's been confusing.

1252

02:46:14.000 --> 02:46:20.310

Town of Freedom: But, it had to do with what was the effect, what was the legal effect of the abandonment of a town wedd.

1253

02:46:20.640 --> 02:46:30.380

Town of Freedom: And those two statutes addressed that. It wasn't... those statutes were not intended to eliminate rights. Those statutes were intended to preserve rights.

1254

02:46:30.640 --> 02:46:31.890

Town of Freedom: In the public.

1255

02:46:32.150 --> 02:46:36.709

Town of Freedom: They did not go back to the land owners, the abutters.

1256

02:46:39.150 --> 02:46:41.940

Town of Freedom: Okay.

1257

02:46:47.400 --> 02:46:50.990

Town of Freedom: Okay, quick recap from what I've caught from everything.

1258

02:46:54.670 --> 02:46:58.089

Town of Freedom: We, agree that there's a public easement.

1259

02:46:58.450 --> 02:47:11.450

Town of Freedom: Okay, a lot of litigation, a lot of problems with some, wording in, consent decree. The last sentence of the third paragraph to relieve, to say that Daniacs were allowed to

1260

02:47:11.540 --> 02:47:25.609

Town of Freedom: post the road and stop people from going up there, that's gotta go. There's no address to parking to make it accessible for people that might need to use, I don't know, some kind of all-terrain wheelchair. I don't know, but...

1261

02:47:25.760 --> 02:47:39.989

Town of Freedom: This decree, from what I've seen, and the input, and the emails, and people writing, signing a petition or a concern letter, this decree can't be approved. Just can't.

1262

02:47:40.400 --> 02:47:41.909

Town of Freedom: End of story, thank you.

1263

02:47:48.460 --> 02:47:49.809

Town of Freedom: Anyone else?

1264

02:47:50.140 --> 02:47:52.430

Town of Freedom: Okay, we are closed.

1265

02:47:54.180 --> 02:47:55.020

Town of Freedom: Thank you.

1266

02:48:02.660 --> 02:48:20.230

Town of Freedom: Okay, so 1956 is the year we're talking about for the discontinuation. So, the Select Board's policy on discontinued and abandoned roads says that after, until, since 1954, when voting upon a discontinuance of a form of a road,

1267

02:48:20.870 --> 02:48:37.739

Town of Freedom: basically the public right is retained. So the Select Board's policy from 1954, two years before this, was that any roads that were discontinued, and the lawyer should kind of know this too, any roads that were discontinued retain public access, according to the Select Board's own policy.

1268

02:48:46.250 --> 02:49:01.680

Town of Freedom: Okay, so we're gonna close, the public comment time, and so when... when we're talking, we're gonna appreciate nobody yell out, make sounds, nothing, okay? All right.

1269

02:49:02.120 --> 02:49:16.319

Town of Freedom: Thank you. Before we go into this, thank you all. Thank you all for coming. Thank you all for your comments. It's clear that people have been thinking about this a lot, and it's good for us to be able to hear those thoughts. Thank you.

1270

02:49:19.750 --> 02:49:23.180

Town of Freedom: Someone here want to go first?

1271

02:49:23.940 --> 02:49:25.990

Town of Freedom: Okay.

1272

02:49:27.800 --> 02:49:45.949

Town of Freedom: Okay, in the spirit of this, deliberation, I'm just... I'm not starting with a motion. I'm not, you know, starting with a conclusion, but maybe highlight some of the things that both we've grappled with and still are considering.

1273

02:49:48.320 --> 02:49:55.589

Town of Freedom: One of the strengths that Bill has pointed out in the consent degree is that it does establish a firm

1274

02:49:55.850 --> 02:49:57.360

Town of Freedom: of public easement.

1275

02:49:57.710 --> 02:50:04.999

Town of Freedom: And that being an anchor, Upon which we can... we can build.

1276

02:50:05.420 --> 02:50:09.300

Town of Freedom: So I think that has been,

1277

02:50:09.860 --> 02:50:21.150

Town of Freedom: on our part, generally acknowledged as... as a strength in... in that... I'm not done yet.

1278

02:50:21.620 --> 02:50:25.529

Town of Freedom: So I just want to say that that's a piece that we have recognized.

1279

02:50:25.730 --> 02:50:39.149

Town of Freedom: I will say that we... we have struggled and continue to struggle with the, the restrictions. The restrictions there. That said.

1280

02:50:39.860 --> 02:50:52.140

Town of Freedom: Recognizing that an earlier iteration of an agreement did limit use to pedestrian access, and that was a place we had come to, acknowledged

1281

02:50:52.260 --> 02:50:59.980

Town of Freedom: acknowledges, I think, two things. One, that, motorized recreation can cause damage.

1282

02:51:00.270 --> 02:51:13.090

Town of Freedom: And that perhaps has not been as well self-managed as it could be. But never does it say, did we say that it doesn't belong anywhere in town.

1283

02:51:13.400 --> 02:51:23.419

Town of Freedom: And so the compromise, really directly, is that, it puts the major limitation on motorized recreation.

1284

02:51:23.740 --> 02:51:26.820

Town of Freedom: And that comes with,

1285

02:51:27.960 --> 02:51:38.920

Town of Freedom: you know, conflicted views, conflicted views on our part as well. Limiting a use that we also recognize has...

1286

02:51:39.260 --> 02:51:44.779

Town of Freedom: Value and, you know, is an active use.

1287

02:51:45.650 --> 02:51:53.489

Town of Freedom: So, you know, for me, it's just, like, kind of narrowing down where some of the... some of the conflicts are.

1288

02:51:53.670 --> 02:52:12.159

Town of Freedom: I also agree that some of the language in here, I'm willing to sort of, you know, for us to talk about, some of the pieces that, just like anything, you say you write a letter to somebody and you look back at it and go, oh, I wish I hadn't said that. So, you know, there are, there are aspects of that, of that for me. I'll just speak for myself.

1289

02:52:16.000 --> 02:52:31.539

Town of Freedom: I want to talk a little bit more about the motorized recreation and some of the challenges I see in this easement, and I'll speak to the trail development that has been brought up in the last week or so, and funds that are available for the state.

1290

02:52:31.940 --> 02:52:50.359

Town of Freedom: you know, Beaver Ridge Road might... is maybe not the best place for this, but in that trail funding, and this is a slight digression, but I think it's important, in the mix as we think about the future, is that this trail bond exists for 4 years.

1291

02:52:50.360 --> 02:53:00.089

Town of Freedom: We're into the second year. It's got \$7.5 million a year for funding, and half of that funding has to go to motorized recreation.

1292

02:53:00.530 --> 02:53:08.110

Town of Freedom: Another quarter of that can be multi-use. I don't know if folks have been in parts of the state where there are multi-use trails.

1293

02:53:08.110 --> 02:53:23.239

Town of Freedom: They are handicapped and accessible, they are, motorized recreation with limits. Again, there are times of year that they shouldn't be, and it depends on the road itself. So, as we talk about

1294

02:53:23.480 --> 02:53:25.950

Town of Freedom: And deliberate on...

1295

02:53:26.230 --> 02:53:45.900

Town of Freedom: how we feel about that exclusion in this agreement. I just want to be clear from my... from where I sit, it is not an exclusion to ATBs everywhere, and would personally work towards, regardless of the outcome of this agreement, would personally work towards,

1296

02:53:46.020 --> 02:53:52.549

Town of Freedom: Helping ATV groups organize To have rules of conduct.

1297

02:53:53.080 --> 02:54:00.789

Town of Freedom: For themselves, and... and look at opportunities for motorized recreation in the town.

1298

02:54:00.950 --> 02:54:11.099

Town of Freedom: So, I just want to say that as, like, for those who may not know where I'm coming from on this, I think the question of Beaver Ridge Road itself

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02:54:11.870 --> 02:54:15.140

Town of Freedom: is really, I think, putting a fine point.

1300

02:54:15.300 --> 02:54:17.219

Town of Freedom: On... on this issue.

1301

02:54:17.640 --> 02:54:20.529

Town of Freedom: So that's just, like, my thoughts at the moment.

1302

02:54:21.740 --> 02:54:22.780

Town of Freedom: Okay.

1303

02:54:24.460 --> 02:54:40.200

Town of Freedom: Well, I'm going to say something that's not... it's not new to Bill or this board. From the very beginning of this, and I'm this leftman that's been here from the very beginning, as I told you all, I tried to prevent this from the very beginning.

1304

02:54:40.350 --> 02:54:47.409

Town of Freedom: And from the very beginning, I have said whatever is legal and whatever is right.

1305

02:54:47.460 --> 02:55:06.459

Town of Freedom: And the legal part of it, if we sign this, we are just signing this, and it will never see, a courtroom or a judge. And the other part was whatever was right. And that is... is where I'm having a very large problem.

1306

02:55:06.460 --> 02:55:11.669

Town of Freedom: I know some of you have heard this, but in case some of you have not.

1307

02:55:11.670 --> 02:55:28.769

Town of Freedom: before this case began, and after a planning board meeting, Tyler Hadiniak asked me to speak to this after. He told me that I could save the town years of litigation.

1308

02:55:28.770 --> 02:55:34.269

Town of Freedom: And possibly hundreds of thousands of dollars in legal fees.

1309

02:55:34.270 --> 02:55:43.839

Town of Freedom: if I only gave this road to them. Now, we both knew when he said that, he didn't recognize I have the power, but recognize

1310

02:55:43.840 --> 02:55:56.660

Town of Freedom: that I had, possibly the influence on the select board. At that time, I told him that I did not have the power to do that, and that I did not like to have my arm twisted behind my back.

1311

02:55:56.930 --> 02:56:14.039

Town of Freedom: And unfortunately, as we have gone through, he has been true to his promise. The very... a big difference in this case is that the Hediniacs have had no legal cost. You had to pay half of the mediator's cost.

1312

02:56:14.160 --> 02:56:17.240

Town of Freedom: But you have not had the legal fees.

1313

02:56:17.520 --> 02:56:23.330

Town of Freedom: And it seems to me that you are indeed twisting the arm of freedom behind her back.

1314

02:56:23.610 --> 02:56:40.659

Town of Freedom: I looked down through these costs. I shared it today. I think that we could look down through and see the cost of different motions and suits that were filed, before we even had an answer.

1315

02:56:40.960 --> 02:56:51.390

Town of Freedom: I, I think that you've taken away from the, it seems that he has taken away, from the first,

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02:56:51.560 --> 02:57:10.360

Town of Freedom: of what we heard, even from residents, just let a court handle it. We heard that from many of you. Let the court handle it. And I wish that all of these, extra motions and extra cases along the way have been thrown in, and we could have just let the court, handle it.

1317

02:57:10.360 --> 02:57:20.210

Town of Freedom: I am going to speak to you to, the problem that I had with this last sentence, in the third paragraph that I read.

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02:57:21.420 --> 02:57:35.510

Town of Freedom: You know, there might come a time that I'd be willing to sign a decree that had some, what I would find ridiculous things in it. I'm not going to sign something that I don't think is true, and I do not think that is true.

1319

02:57:35.620 --> 02:57:53.929

Town of Freedom: And that sentence, I do not believe it's true. I've sat in selectmen meetings before I was a selectman from years ago, and I listened to residents come into the select board and complain that that private road sign, was up at the bottom of the road.

1320

02:57:54.070 --> 02:58:01.060

Town of Freedom: I've heard that. I've heard their, their emotion, their anger over this.

1321

02:58:01.400 --> 02:58:15.880

Town of Freedom: And I'm gonna say to you, too, that I also recognize that something that, people who are not lawyers may not know. We had people test, speak at the hearing, that when they were told

1322

02:58:15.880 --> 02:58:33.709

Town of Freedom: do not go on our road, this is private, that they just didn't do it. We thought that that may, be helpful to our standing as a town, and show that maybe somebody was bullying or mean. And then we found out, well, that actually

1323

02:58:33.930 --> 02:58:56.970

Town of Freedom: helped their case, because if they said it, and people listened to it, then it helped, a foundation there, which is why, even, I think, in the last two months, I had to send out, a few different emails requesting, the plaintiffs to remove signs that they had put on the road, because I didn't...

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02:58:56.970 --> 02:59:03.389

Town of Freedom: I didn't want to in any way acknowledge that I... I was recognizing that it was their private road.

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02:59:03.390 --> 02:59:08.669

Town of Freedom: So, and then...

1326

02:59:08.850 --> 02:59:20.309

Town of Freedom: You know, I have a... I'm listening... I'm listening to the people, but I'd like you to go on. I do have concerns over the burial grounds, I listen to that.

1327

02:59:21.830 --> 02:59:28.189

Town of Freedom: I think, I think a major, a point for me, you know, I think that consent agreements

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02:59:28.470 --> 02:59:43.780

Town of Freedom: I can see their purpose of, of avoiding the risk of trial, and in doing that, also avoiding the risk of, risk of the, cost.

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02:59:44.310 --> 02:59:48.290

Town of Freedom: However, there's only one side here who is at risk.

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02:59:48.450 --> 02:59:50.739

Town of Freedom: And, I really recognize that.

1331

02:59:58.650 --> 02:59:59.750

Town of Freedom: Thanks, Laura.

1332

03:00:00.230 --> 03:00:05.419

Town of Freedom: So, as I listen to all the various comments.

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03:00:05.520 --> 03:00:13.419

Town of Freedom: Many, many of them kind of, pointed out that a consent decree like this is in legalese.

1334

03:00:13.580 --> 03:00:22.910

Town of Freedom: And it's... and there's... there's a reason for that. But... but it... but, it doesn't necessarily make the language accessible to all of us.

1335

03:00:23.210 --> 03:00:26.849

Town of Freedom: So, my first thought goes back to, what are we doing here?

1336

03:00:27.170 --> 03:00:34.730

Town of Freedom: Well, what we're doing here is that, somebody in town came and said, hey, that's my role.

1337

03:00:35.100 --> 03:00:36.310

Town of Freedom: Stop using.

1338

03:00:36.710 --> 03:00:40.279

Town of Freedom: And then the town said back, well, no, we don't think that's right.

1339

03:00:41.050 --> 03:00:47.160

Town of Freedom: But... and then, those two parties weren't able to sit down and try to hash it up.

1340

03:00:47.940 --> 03:01:03.490

Town of Freedom: And so, they, a lot of, a lot of motions happened, all sorts of stuff went on. It's in court, but the court hearing itself, the court process, doesn't get started for a long time because of all the motions.

1341

03:01:03.780 --> 03:01:09.950

Town of Freedom: So then, the court finally weighs in and says, listen, you guys, work this out.

1342

03:01:10.330 --> 03:01:15.079

Town of Freedom: Come to some agreement between yourselves. Don't make me decide this.

1343

03:01:15.370 --> 03:01:20.230

Town of Freedom: Okay, so we start, doing all these negotiations about the consent decree.

1344

03:01:23.530 --> 03:01:34.569

Town of Freedom: What came through that, what emerged over time, for me, were the concerns that the plaintiff had about the public use of the road.

1345

03:01:34.780 --> 03:01:39.019

Town of Freedom: And it had to do with... a lot of it had to do with noise.

1346

03:01:39.070 --> 03:01:57.770

Town of Freedom: and privacy, and those kinds of issues. And as we went along on that, we were able to also talk about, well, wait a minute, the town's got some concerns about the use of the road, too. We want it to be accessible. We want it, you know, we want people to feel comfortable going there.

1347

03:01:57.860 --> 03:02:09.359

Town of Freedom: We want people to be able to bring their pets. We, and so, it's like sitting at a dining room table, going back and forth. What's important to you? What's important to you?

1348

03:02:09.360 --> 03:02:19.700

Town of Freedom: And as that happened, different paragraphs, within the consent decree, the language shifted a little bit, and a little bit, and a little bit over time.

1349

03:02:20.440 --> 03:02:25.660

Town of Freedom: But then eventually, it became clear that it had shifted as much as it was gonna shift.

1350

03:02:25.900 --> 03:02:32.550

Town of Freedom: That we had gotten as much as what we thought was important into the consent decree as we could.

1351

03:02:33.850 --> 03:02:38.820

Town of Freedom: Let me... please, hear me out, hear me out.

1352

03:02:39.280 --> 03:02:43.050

Town of Freedom: So, so then, that's where we're at.

1353

03:02:43.440 --> 03:02:56.850

Town of Freedom: As we... as we tried to get things into consent decree, what I think each of us had in the back of our minds, what I certainly had in the back of my mind was, what does the town want here? How can we best advocate for that?

1354

03:02:57.190 --> 03:02:58.240

Town of Freedom: And...

1355

03:02:59.350 --> 03:03:13.099

Town of Freedom: I think... I think we did that. I think we could pay attention to a lot of what, a lot of what various of you had come to us during our meetings and told us about what was important.

1356

03:03:13.700 --> 03:03:15.140

Town of Freedom: We didn't get it all.

1357

03:03:15.390 --> 03:03:16.979

Town of Freedom: There was no way to get it all.

1358

03:03:17.170 --> 03:03:18.659

Town of Freedom: It's a compromise.

1359

03:03:19.280 --> 03:03:26.459

Town of Freedom: So... What we're left with then, at this moment in time, are two alternatives.

1360

03:03:26.700 --> 03:03:30.699

Town of Freedom: That we try to move ahead with this consent decree.

1361

03:03:31.020 --> 03:03:45.520

Town of Freedom: During... and in the consent decree is hammered-out language that reflects a lot of the feeling and thoughts that we've heard over the past, well, for you, it's a year and a half.

1362

03:03:45.810 --> 03:03:49.549

Town of Freedom: for, Alyssa and I more directly since last June.

1363

03:03:52.220 --> 03:03:59.310

Town of Freedom: That's on the one side. Not perfect, not everything we want, but, at least a bunch of what we want.

1364

03:03:59.630 --> 03:04:04.899

Town of Freedom: And on the other side is, the... is going back to court.

1365

03:04:05.220 --> 03:04:21.539

Town of Freedom: And, by definition, the judge is not gonna listen to how we feel about losing the place that we used to be able to ride horses freely, the place that we used to be able to snowmobile freely, the place

1366

03:04:21.540 --> 03:04:34.799

Town of Freedom: The judges are going to care about how we felt about that. The judge is only going to look at the letter of the law, whatever documents are brought to him or her, and all of that.

1367

03:04:35.240 --> 03:04:47.739

Town of Freedom: I've got to tell ya, we have listened during our meetings and other times to, hours of people explaining to us one side or the other, and how their side is absolutely right.

1368

03:04:48.560 --> 03:04:50.670

Town of Freedom: And we've heard it from both sides.

1369

03:04:50.980 --> 03:04:54.830

Town of Freedom: And I gotta tell ya, each side made a convincing argument.

1370

03:04:56.160 --> 03:04:58.640

Town of Freedom: Each side made a convincing argument.

1371

03:04:59.360 --> 03:05:09.100

Town of Freedom: One of the things I'm really happy about is that we don't have to decide who's right about that argument up here. That's not our tax. That's the court's tax.

1372

03:05:09.430 --> 03:05:15.539

Town of Freedom: But if we go to court, it's gonna be... the decision is not gonna be based on,

1373

03:05:15.770 --> 03:05:19.329

Town of Freedom: The feeling that's been expressed in this room.

1374

03:05:19.650 --> 03:05:25.889

Town of Freedom: So, I've, I've got... I've got a... it's... I think that is a crapshoot going forward.

1375

03:05:27.340 --> 03:05:28.290

Town of Freedom: So...

1376

03:05:28.780 --> 03:05:34.670

Town of Freedom: One more thought, and I'll ask you to bear with me. It's a complicated issue, and it brings up complicated thoughts for me.

1377

03:05:35.400 --> 03:05:38.840

Town of Freedom: I have my own thought about what makes sense.

1378

03:05:39.270 --> 03:05:40.170

Town of Freedom: For me.

1379

03:05:41.120 --> 03:05:47.259

Town of Freedom: But I think what the board, really needs to consider is what makes sense for the town.

1380

03:05:48.390 --> 03:05:59.369

Town of Freedom: And as I look at what's going on in town, I've been here 5 years, which I know is like the blink of an eye, compared to some of the families that have been here for generations. I get that.

1381

03:05:59.830 --> 03:06:07.370

Town of Freedom: When I look at what makes sense to me, I come to a conclusion.

1382

03:06:07.740 --> 03:06:12.600

Town of Freedom: But I think that we're talking about something more than the consent decree today.

1383

03:06:13.000 --> 03:06:17.890

Town of Freedom: I think that we're talking about a moment in time in this town's history.

1384

03:06:18.050 --> 03:06:21.899

Town of Freedom: When, there is a clear division in town.

1385

03:06:22.360 --> 03:06:26.370

Town of Freedom: There is an enormous issue of trust in Canada.

1386

03:06:26.500 --> 03:06:35.410

Town of Freedom: That one side just doesn't trust the other, and for some people, that runs really deep.

1387

03:06:36.290 --> 03:06:44.439

Town of Freedom: And so in the back of my mind, I'm thinking, what can the board do to help effect some change

1388

03:06:44.820 --> 03:06:46.610

Town of Freedom: That would benefit the town.

1389

03:06:46.960 --> 03:06:52.720

Town of Freedom: To where we can get to a point where we can see a little bit more eye-to-eye on some issues.

1390

03:06:52.790 --> 03:07:07.260

Town of Freedom: To where we can get to the point where, we can compromise about some issues, understanding that nobody in town is always going to get everything they want, and nobody in town should ever feel like they're always going to be losing.

1391

03:07:07.560 --> 03:07:10.559

Town of Freedom: That's not... that's, to me, that's not a healthy town.

1392

03:07:10.770 --> 03:07:13.450

Town of Freedom: Healthy time is where we can talk things over.

1393

03:07:13.990 --> 03:07:23.420

Town of Freedom: I really... I'm gonna say again, I really appreciate, the comments that you all made today, and I really appreciate the tone in which those comments were made.

1394

03:07:23.540 --> 03:07:39.210

Town of Freedom: I've sat through a bunch of selectory meetings where the tone was not at all like it was today. That was uncomfortable and unpleasant, and it didn't lead to us being able to talk together and come to some common conclusion.

1395

03:07:40.320 --> 03:07:48.300

Town of Freedom: So, you want, you want to talk? So, Laura, Laura wants to do something.

1396

03:07:48.540 --> 03:08:02.390

Town of Freedom: Yes, I hear what you're saying, Ray, and I get it about the sides. I'm gonna point out to the people, though, who voted for me, you know, I do not vote sides.

1397

03:08:02.750 --> 03:08:09.439

Town of Freedom: I've never been on Beaver Ridge Road. I have shown you all in my boats.

1398

03:08:09.440 --> 03:08:28.750

Town of Freedom: and the stance that I take, that I am on the side of what is fair and right. And you all may vote, if you have an opportunity to vote, you may decide, we cannot afford this in town. And that is okay, but you deserve to know

1399

03:08:29.300 --> 03:08:48.699

Town of Freedom: how we got to that amount of money. You deserve to recognize the tactic that was used, and then if that is what you want, then that is what I'm willing to go with. I'm gonna point out, I have yet to hear from a resident

1400

03:08:48.940 --> 03:09:00.880

Town of Freedom: hey, we just think that they... we should just give our roads away. Every single comment that I've heard, to me anyway, that is,

1401

03:09:01.070 --> 03:09:21.489

Town of Freedom: that have been to sign this is based on the amount of money. And to me, that's important when I lay out what I believe is an unfair tactic here. I'm also going to point out to you, too, I really did not get... when you want to talk about sides, I really...

1402

03:09:21.490 --> 03:09:31.590

Town of Freedom: didn't understand that the abutters and the plaintiffs were going to be able to use that RODIS, any motorized vehicles that they want.

1403

03:09:32.050 --> 03:09:35.210

Town of Freedom: I can just imagine that that's gonna... this...

1404

03:09:35.480 --> 03:09:43.580

Town of Freedom: causing some not happy feelings, or, you know, sentiments of unfairness.

1405

03:09:43.760 --> 03:09:46.820

Town of Freedom: Let's see...

1406

03:09:51.600 --> 03:10:06.750

Town of Freedom: When I, joined the board and immediately dug into this lawsuit, a couple of thoughts. I really want to acknowledge the prior board and all the work that they put into,

1407

03:10:07.310 --> 03:10:12.649

Town of Freedom: setting the stage. It was not a welcome task to, you know.

1408

03:10:12.830 --> 03:10:19.410

Town of Freedom: print out and read reams and reams of legal paper. Fortunately, in some of my background,

1409

03:10:19.510 --> 03:10:36.810

Town of Freedom: did prepare me for this, and, I've mentioned this in some other meetings, I... I have worked in land conservation before, for many years, for the Land for Maze Future Program, for other state programs, I even, yeah, anyway.

1410

03:10:37.020 --> 03:10:51.510

Town of Freedom: So, you know, my first impulse, recognizing, the nature of this, this dispute was, well, what's the data that we need to come to a conclusive answer?

1411

03:10:51.510 --> 03:11:08.759

Town of Freedom: And there's been a part of me from the beginning feeling that a survey would be a valuable contribution to the data. We have received, in the last month alone, a ream of paper relating to deeds and references and historical facts and so on.

1412

03:11:08.760 --> 03:11:12.330

Town of Freedom: None of us are experts, and everybody's an expert.

1413

03:11:12.330 --> 03:11:29.580

Town of Freedom: And, we ourselves have sort of drawn a line to say, there's only so much, we are going to accept a burden to fully, fully make a definitive decision on, you know, whether it's deeds, what was intended, and even going back to the 1956 article.

1414

03:11:29.580 --> 03:11:31.120

Town of Freedom: You know,

1415

03:11:31.130 --> 03:11:45.149

Town of Freedom: So, again, coming into this, I've had a feeling that I'd really just rather get the data and have a court decide. That said, I also feel persuaded by

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03:11:45.560 --> 03:11:54.389

Town of Freedom: Bringing some certainty into the mix, which the consent decree is, is attempting to do.

1417

03:11:54.470 --> 03:12:12.690

Town of Freedom: So when I think about it now, like, right now, today, this minute, like, what's... what's before us, the consent decree is not perfect, even in our discussions, and I would have to say that our process as a board, I think, has been very, very constructive.

1418

03:12:12.690 --> 03:12:14.629

Town of Freedom: Taking the time we need.

1419

03:12:14.630 --> 03:12:32.329

Town of Freedom: really analyzing issues that would come up. It has taken a long time, because I feel that we have done respectful deliberation with each other, including making the decision to bring this to a public decision. We could have made that decision behind plume stores, and we opted not to.

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03:12:32.330 --> 03:12:39.609

Town of Freedom: And doing so opens up A lot of unsolicited expertise.

1421

03:12:39.610 --> 03:12:59.090

Town of Freedom: You know, and so we've had to really wade through... wade through that as well. So where we are right now is, we can vote to approve it, we can maybe make a decision that there are parts we like and parts we don't like, and approve an amended version.

1422

03:12:59.140 --> 03:13:10.880

Town of Freedom: Or we could... or we could deny it. If we deny it, or if we... and Bill may speak to some of this process stuff later, but I... to me, it's important in my thought process

1423

03:13:10.880 --> 03:13:28.230

Town of Freedom: that, if we amend it and it's rejected by the plaintiffs, or if we... if we reject it, it goes to court. My understanding, there is not more mediation. We've gone as far as we can to put things on paper, and it will go to court. And in going to court, the first step would be a survey.

1424

03:13:28.230 --> 03:13:44.090

Town of Freedom: Which would... that... that would be the town's... the town's effort to get that information, to get that understanding about, you know, where is it, and... and what does the ownership and... and track of, of legalities, infer.

1425

03:13:44.410 --> 03:14:03.590

Town of Freedom: Then there will be depositions. Many of you have already spoken and passed public hearings. We'd have to revisit that, so... and sort of counterpoint, it is relevant. You know, people's use and experience on the land is relevant to what the judge may determine. But then it's in their hands.

1426

03:14:04.070 --> 03:14:18.890

Town of Freedom: One of the things I think I've heard, mostly in the last week from people, as this petition has been in circulation, where they're saying, okay, we like that there's an easement, there's a lot of other stuff there we don't like, and that that's been

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03:14:18.980 --> 03:14:31.600

Town of Freedom: kind of the subject of greatest concern. And many people have said, if it goes to process and it goes to court, we will live with the outcome.

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03:14:31.890 --> 03:14:33.759

Town of Freedom: We will live with the outcome.

1429

03:14:34.130 --> 03:14:48.769

Town of Freedom: And it does two things. It relieves us from making the decision, which is not to say we want to cop out on the decision. We are really doing our best to make a reasoned decision while hearing all these different viewpoints.

1430

03:14:48.770 --> 03:14:54.810

Town of Freedom: So, that would stand, and even if, sort of, the town loses.

1431

03:14:54.810 --> 03:15:06.179

Town of Freedom: In a sense. Then it's... then it's... it's... it's definitive. The trouble is, we don't know what that will cost, we have some ideas, and that becomes, like, a risk factor for us.

1432

03:15:06.180 --> 03:15:31.090

Town of Freedom: And I want to say, you know, I want to acknowledge under Laura's leadership and our sort of, you know, running to keep up, there are great efforts being made to really keep a tight budget, even with... even with these legal costs. Taxes went down last year. They may go down again, and that is even with this. So we are working doubly hard, and this is... this has been

1433

03:15:31.090 --> 03:15:36.889

Town of Freedom: and by... You know, default, a priority... a priority issue in the budget, but not the only ones.

1434

03:15:37.580 --> 03:15:53.299

Town of Freedom: So, you know, I just want to say, you know, a couple things. I really appreciate the deliberations we've had. I, recognize some of the problems in the decree. I also see that there's a handle

1435

03:15:53.300 --> 03:16:04.049

Town of Freedom: And I also think that there is growing sentiment, from what I have heard, and I think reflected in the, in, this petition that was circulated, that

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03:16:04.160 --> 03:16:11.069

Town of Freedom: Let, you know, if we can't have the full easement, let a court decide, and we will live with the outcome.

1437

03:16:11.600 --> 03:16:13.710

Town of Freedom: So...

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03:16:16.230 --> 03:16:27.610

Town of Freedom: Right. We had discussed, as a board, what we were going to do about that last session in second, paragraph 3, but even before that.

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03:16:27.690 --> 03:16:36.240

Town of Freedom: We have sat in that room, and we have publicly said that we were going to go by

1440

03:16:36.240 --> 03:16:51.920

Town of Freedom: the voice of the people, the loudest voice in what they wanted. And here today, I saw 70... What I mean by loudest is the amount of input. That is what I meant by loudest. The amount of...

1441

03:16:52.020 --> 03:16:55.710

Town of Freedom: of statements of input. And,

1442

03:16:55.870 --> 03:17:10.620

Town of Freedom: to me today, that is very clear. And, I don't know, I mean, I'm just going by what the two of you had said before, so you can say if you... you want to say if you've changed your mind on that, but...

1443

03:17:10.620 --> 03:17:17.930

Town of Freedom: I'm not sure why we would need any more discussion if that was the decision we had said before, and if

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03:17:18.600 --> 03:17:29.459

Town of Freedom: I don't know where you're going, so... Well, I would rather just make a motion. I mean, you said before that you were going to go by what the people... So, you can make a motion, we can keep this going. Okay.

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03:17:29.900 --> 03:17:37.199

Town of Freedom: Before we... I make a motion, is there any more that you two want to discuss before a motion?

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03:17:39.930 --> 03:17:41.070

Town of Freedom: Thanks, Laura.

1447

03:17:42.700 --> 03:17:50.509

Town of Freedom: So, so in the end, my own feeling is that, the risk that we would lose in court

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03:17:50.620 --> 03:18:01.059

Town of Freedom: And if we lost in court, we would lose some of the provisions, all the provisions that we fought hard to get into this consent decree.

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03:18:01.270 --> 03:18:12.589

Town of Freedom: And, and the, the cost. That, as a person who lives in town, that convinces me that, it would make sense to go with the consent degree.

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03:18:13.110 --> 03:18:29.899

Town of Freedom: But, as a person who is concerned about the, level of mistrust and kind of the factions in town, I, I don't think this town is ready for this consent decree.

1451

03:18:37.790 --> 03:18:47.699

Town of Freedom: The question it leaves me with, though, is that, moving forward, you know, okay, so this goes to the judge, the judge decides this.

1452

03:18:47.780 --> 03:18:58.620

Town of Freedom: But this is not the last issue that's gonna come up like this, that, that has the potential to drive a wedge between, two different groups in town.

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03:18:59.070 --> 03:19:13.370

Town of Freedom: The wedge is already there. The wedge is there. How do we get it out? Let the judge decide this, and then it's over. I'm trying... but I'm trying to... But I'm trying to talk about beyond the judge deciding.

1454

03:19:13.610 --> 03:19:24.330

Town of Freedom: Okay, so the judge has decided. We're, we're, whatever, a year and a half in the future, and the judge has decided. Great, this issue has put to rest, baby.

1455

03:19:24.390 --> 03:19:40.439

Town of Freedom: Maybe. Because, maybe, the judge goes this way, there are still some people who are disgruntled, and if they go that way, there are some people who will be disgruntled. But no matter any of that, there are going to be more issues like this coming before the town.

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03:19:40.800 --> 03:19:46.079

Town of Freedom: We're gonna have times where a group disagrees with what another group wants.

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03:19:46.500 --> 03:20:00.620

Town of Freedom: And what would be important to me is for the town to see our vote today as a move... a step towards trying to move towards a better ability to trust.

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03:20:01.150 --> 03:20:08.739

Town of Freedom: a better ability to come to compromise, because it's gonna come up again. It comes up around the budget every year.

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03:20:10.130 --> 03:20:19.849

Town of Freedom: So, that's, that's all I got to say. Just, just a second, second.

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03:20:20.790 --> 03:20:36.869

Town of Freedom: It's interesting that you wanted to speak with Steve, because I actually wanted to make a comment, about, about... not just about you, but about your family and the prices, and the...

1461

03:20:37.790 --> 03:20:53.440

Town of Freedom: You know, there's two... there's two things. One, we all know that this has been a long-standing issue, and the can has gotten kicked down the road for a long time. New information has come in, new users, new... new residents, so it's been an evolving issue for 30 years.

1462

03:20:53.780 --> 03:21:11.440

Town of Freedom: I also want to acknowledge that over the years, Ron Price and your family has done the best you can to really allow access, snowmobile access, and so on, and work with the restrictions that are placed by another abutter.

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03:21:11.440 --> 03:21:16.440

Town of Freedom: And Steve, I also want to acknowledge, you know, you and your family. Also.

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03:21:16.440 --> 03:21:31.839

Town of Freedom: expressing a willingness and expressing a receptiveness for public use on that road. You've really never wavered from that. And I think the question often boils down to.

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03:21:32.450 --> 03:21:47.500

Town of Freedom: how is it being used? How is it being maintained? And even though, like, you and I have had our, you know, our own disagreements, too, on, on substantive issues not relating to this and relating to this, but I understand and I do believe

1466

03:21:47.670 --> 03:21:56.130

Town of Freedom: In your heart of hearts, you recognize, as do other landowners there, that you are... you are... you are sitting on a beautiful piece of freedom, Maine.

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03:21:56.290 --> 03:22:01.509

Town of Freedom: And you have offered at times and in ways to share it.

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03:22:01.680 --> 03:22:11.680

Town of Freedom: This additional layer of restriction just becomes, like, a hard pill for people... for folks... for folks to swallow.

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03:22:11.840 --> 03:22:15.020

Town of Freedom: when I say that, I personally...

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03:22:16.120 --> 03:22:25.640

Town of Freedom: could accept either outcome. We went, you know, we get the easement, or if it goes to court, and we don't. It doesn't,

1471

03:22:25.840 --> 03:22:40.850

Town of Freedom: you know, it doesn't diminish or do away with the fact that there will always be a public interest in that road, even if it's not an ownership interest. That road has historic significance.

1472

03:22:40.880 --> 03:22:54.800

Town of Freedom: It has had recreational significance to those who have been able to access it, and particularly for those in that part of town. So I just want to acknowledge that... that landowners there have

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03:22:54.800 --> 03:23:01.780

Town of Freedom: Been willing to participate, willing to, allow access, has really,

1474

03:23:01.950 --> 03:23:05.640

Town of Freedom: Been a beneficial contribution to the... to the discussion.

1475

03:23:07.340 --> 03:23:19.350

Town of Freedom: So, you know, that was really the main thing, just acknowledging that. I think at this point, Steve, we're keeping the deliberations among ourselves, is that right? Steve is requesting to speak.

1476

03:23:19.440 --> 03:23:28.979

Town of Freedom: We're still in deliberation. We're still in deliberation. I also want to ask Phil if you have anything that you want to add that,

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03:23:29.040 --> 03:23:41.389

Town of Freedom: You know, regarding our... he said he will go along with whatever we decide, and he's sticking to it. More than go along with, support. And support. Yes.

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03:23:41.940 --> 03:23:55.030

Town of Freedom: So... Please make a motion. Quick question, please. We don't have closed.

1479

03:23:55.470 --> 03:23:57.150

Town of Freedom: Oh, wow.

1480

03:23:58.290 --> 03:23:59.559

Town of Freedom: we're feeling.

1481

03:23:59.770 --> 03:24:01.760

Town of Freedom: Yeah, please let me just lunch.

1482

03:24:01.990 --> 03:24:14.629

Town of Freedom: We're, we're, trying to figure out procedural, how to move ahead. The question was whether, whether we have to make a motion on, and to act on it, and I think

1483

03:24:14.930 --> 03:24:21.620

Town of Freedom: It's an option to take no action. However, where does that leave us?

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03:24:24.750 --> 03:24:32.339

Town of Freedom: If we did not vote at all, what do you imagine the next step would be?

1485

03:24:33.860 --> 03:24:40.519

Town of Freedom: I, I think, we would... We would end up employment.

1486

03:24:44.080 --> 03:24:46.280

Town of Freedom: Is that right, Bill? Yeah.

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03:24:47.150 --> 03:24:51.939

Town of Freedom: We don't take any action, the court, the litigation continues.

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03:24:53.090 --> 03:24:58.560

Town of Freedom: So therefore, why would we not... Deny the consent decree.

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03:24:58.710 --> 03:25:12.419

Town of Freedom: if, you know what I mean, we could either be pro... you could say, this is... this is what we're... This is not that big an issue for me. No, I just was curious on your thinking... Yeah. ...one way you could proceed. Yeah, because I... I'm recalling some,

1490

03:25:13.440 --> 03:25:20.069

Town of Freedom: conversation we had about this, and it seems like if we decide we reject, or we propose to amend

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03:25:21.010 --> 03:25:32.660

Town of Freedom: It is possible to not... not vote on it. I'm not inclined to not take a vote, you know, and so... And there have been other things we haven't all agreed on. Yeah, yeah.

1492

03:25:32.950 --> 03:25:39.339

Town of Freedom: You know, and I think I want to, again, preface this by saying I support and believe

1493

03:25:39.360 --> 03:25:57.370

Town of Freedom: believe in trails in this town, and recreational access, and the nub of this issue is really, something that Maine has been seeing for as long as I've lived here, which is 45 years, which is diminishing public access,

1494

03:25:57.530 --> 03:26:06.970

Town of Freedom: And in some ways, this is about the road, it's about the history of the county, you know, the history of the county roads and all of that, but I think in some ways, it's really about

1495

03:26:06.970 --> 03:26:24.539

Town of Freedom: How are lands used? How do we partner with... with landowners? And... and also, if we have ownership interest, how do we... how do we do that? I'm persuaded by voices I've heard here, and in this, and in this,

1496

03:26:24.990 --> 03:26:38.399

Town of Freedom: you know, in these documents, which are reflective of what I would say, true grassroots community organizing. A lot of kitchen table conversations, some of which have been shared with us.

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03:26:38.510 --> 03:26:43.759

Town of Freedom: Some of which has happened in select board meetings.

1498

03:26:43.900 --> 03:26:56.170

Town of Freedom: And, I... I make a motion that we, deny the...

1499

03:26:56.320 --> 03:27:09.300

Town of Freedom: Okay, I said, and now do we have any more discussion?

1500

03:27:12.490 --> 03:27:27.370

Town of Freedom: Okay, all those in favor of... Make it clear. So, we are voting to refuse this, consent decree. And so, all those in favor of...

1501

03:27:27.590 --> 03:27:32.690

Town of Freedom: Voting to refuse to sign this consent decree, raise your hand.

1502

03:27:41.900 --> 03:27:52.020

Town of Freedom: What I am going to say is, don't thank us yet. Please.

1503

03:27:52.140 --> 03:27:59.029

Town of Freedom: I... there's... this is just a step in the process. It is not over for any of us.

1504

03:27:59.850 --> 03:28:05.650

Town of Freedom: The goal is still... Public access.

1505

03:28:07.320 --> 03:28:11.510

Town of Freedom: And improved relations in this town.

1506

03:28:12.250 --> 03:28:16.850

Town of Freedom: And again, we don't know what the pathway is towards death.

1507

03:28:17.420 --> 03:28:21.800

Town of Freedom: Okay, I'm gonna call the meeting to a close, and...

1508

03:28:21.980 --> 03:28:26.380

Town of Freedom: Yeah, that's what I mean. Okay, at 121, all those...

1509

03:28:26.610 --> 03:28:30.580

Town of Freedom: All those in favor? Aye. You get all that?

1510

03:28:33.480 --> 03:28:39.649

Town of Freedom: Second is, I would... What's that, Beth?

1511

03:28:43.680 --> 03:28:53.690

Town of Freedom: I'm not gonna take any hand. I feel so conflicted.

1512

03:28:56.530 --> 03:29:01.100

Town of Freedom: I'm sorry.

1513

03:29:01.370 --> 03:29:12.110

Town of Freedom: I know, right?