



## SPECIAL TOWN MEETING MINUTES

NOVEMBER 14, 2017

### TOPIC: CONTINUATION OF PELLETIER ROAD PROJECT

Chairman Craig Lawrence, welcomes everyone and calls to elect a moderator for this evenings meeting. **Board of Selectman, Yvon Dube made a motion to elect Kevin Lavoie as the moderator, and the towns people seconded. All in favor.** Mr. Kevin Lavoie stepped up to the podium and was sworn in by Town Clerk, Susette Zetterman.

Kevin Lavoie conducted the rest of the meeting.

He introduces the Article that will be spoken about in this meeting.

*Article 1: Do you want to use Town of Frenchville tax payer dollars and town funds, to continue the paving, improvement, maintenance, and repair of that portion of Pelletier Avenue running from Starbarn Avenue to the Madawaska Town Line of Pelletier Avenue (a/k/a Pelletier Road)?*

The Moderator then opens the floor to questions from the Public, and reminds them that they will have a three minute speaking period.

**John Ezzy made a motion to accept the article as written. Seconded by Paul Bernier.**

**Question: John Ezzy-** I would like to have an answer from the initiators of the petition as to an explanation of this article.

**Answer: Bruce Ouellette-** He wants to know why, everyone in this room knows why.

**Moderator:** Point of order, sir are you a resident of Frenchville?

**Response: Bruce Ouellette-** No, Madawaska.

**Moderator:** I need to ask the towns peoples' permission to let Mr. Ouellette answer the question. The towns people voted yes, Mr. Ouellette you now have the floor.

**Response: Bruce Ouellette-** He said he needs to know why, he knows why. He was Chairman of the Board, he went ahead and did a road project for the town which was an excellent idea. We approached several selectman numerous times and showed the problems we were having on our road would be met. The only thing that we were met with was that "we were going to pave whether you like it or not."

I was even told, and Ryan can verify this; by Mr. Ezzy that the towns pockets were deep, if we wanted to do it the hard way. Things unfolded as they went. We blockaded the road, had a court order. We were supposed we were supposed to have been given the winter to sort through this mess along with the towns people and somebody found a paver somewhere doing nothing, so I went up and plowed the road, and now I realize that John was playing hard ball, so now I'm playing hard ball. We could have all sat down and come to an understanding of what needed to be done up there, but the only words that kept being repeated into my head was pave, pave, pave. That's why we're here tonight.

**Question: John Ezzy-** I'd like to know why the winter and summer maintenance are being brought into this?

**Answer: Chairman Craig Lawrence-** Basically when this ended up going to court, and people have already heard me say this before but once we became aware of the law we became responsible for the law. This case has been to court twice, I know a lot of people think it's been three times, but it's been to court twice. The first time, was dismissed because the first plaintiff had a lack of standing. They were not a legal resident or a landowner. From there it went a second time with Mr. Ouellette and we went to court, from there we were required to get easement for the road. For the simple fact that under Maine State Law, under Public Purpose Claus we are not allowed to pave, plow, maintain, any type of road without proper legal status. And that's what we are working to obtain and that's basically what this meeting is here for tonight. Does the town wish to move forward and spend the money that it will cost to get the easements?

**Statement: Jeremy Pelletier-** Before this all started as a road project, we met with a Budget Committee, we met with the Town Counsel, and a lot of people were there and we went over everything. At that meeting, I remember well that it wouldn't have gone through for that section of road but John (John Ezzy) insisted that he wanted that section of road being paved and he said that he was going to pay for all of the expenses to get easements for all the landowners, he said all the landowners were in favor at the time. I don't know if John is still willing to do that but, that's what he said and the time. The whole counsel was aware that if we brought that to the town saying the town was going to have to pay, and we won't be able to access that land then the town was going to reject it, but since John came forward and said all that, then we proceeded with the whole project.

**Statement: John Ezzy-** After I was advised by my attorney, that this was not going to solve the problem. So I dropped that idea. It says that the town has gone to great lengths figuring the status of the road. The facts are that in 1870 that road was shown on a map. In 1905 the town voted to build the road from Airport Avenue to the corner of upper right 11<sup>th</sup> Avenue (Pelletier Ave). That road was built by the town. Since 1905, that road has been maintained every year. Since 1998 the road has been opened winter and summer by the town. Since 1998, three building permits were issued to residents of the town to build year-round homes. In 2017, that Mr. Lawrence intimated there were lawsuits, there were actually three of lawsuits. (Chairman Craig Lawrence mentions again that there are two lawsuits, and Town Manager, Ryan Pelletier agrees) The first lawsuit was dismissed because of *(could not make out what was said on the video.)* And the second lawsuit that the Ouellette's brought, the agreement was to fix the drainage issues, that the town agreed to that in the mediation. The town agreed to assist in grading, access, and drainage issues. After that was done the Ouellette's were to deed the road over to the town and the judge on July 20<sup>th</sup> decided that an order, and I'll read exactly what it says. The judgement entered deeming Pelletier Avenue a public way from Airport Avenue to the dividing land

between the original box 136 and 137. That has been signed by a judge and been deemed a public way. Now my last comment here is going to be the timing of this meeting. When the June 12 Town Meeting vote was overturned because of voting irregularities, the judge signed an order and said by stipulation of the parties the June 12, 2017 vote of the Town of Frenchville is hereby set aside and hereby ordered that a new vote shall take place within 30 days of this order unless the petitioners (*could not make out what was said on the video*) Now we're a little bit beyond the 30 days of August 18 which was the date that this was signed, and we had a Public Hearing in which many questions were asked. We were told we would get the answers and we still don't have the answers up to this date. Can you tell me what's going on here? This is a railroad stop. These are my neighbors, the Pelletier's and the Sirois's that are paying for it. I think that this town needs to step up and take care of its citizens. We've done nothing wrong. Paving? That's not an issue anymore. I realize that the road will never be paved.

**Response: Chairman Craig Lawrence-** There are several, several questions that we basically have. The first one that he was talking about, about the dismissal of the first case, here's the copy; it's was simply dismissed. That was the first one, it was dismissed because as I said it was known as a lack of standing. They were not able to show the damages because they did not live on, reside, abut or own property. That's why it was dismissed. It had nothing to do with the with the classification of the road. John said it right, Pelletier Ave was shown on a map in 1870, it was shown on a map in 1877, it was part of a petition that a County Commissioner did, to become a county way in 1884. This really predates 1905 how did all these things happen 30 years before it was even built? Going through the town records there is absolutely no expenditure of the allocation. The town did allocate the money. Where the money went? Nobody knows. Had it been spent on the road there would have been checks, deeds received, easements received, emanate domain would have had to been used. Something. But there is no allocation for the money. We've heard about thirty different stories of where it went. One was to build a sand pit up there to haul stuff to Starbarn Avenue. There's just all kinds of stories, nobody know what the facts are except for the fact that there are no facts. But the road does predate 1905 by 30 years, so you can't say that we built it in 1905. The maintaining of the road, we have been maintaining it, and we've been maintaining it according to the law especially with the court date of 1988, the Public Purpose Claus court decision which basically means it was being maintained illegally. After that the supreme court judge said no one else could do it. We actually have a paper here from 1993 that came of the Saint John Valley that was originally from Augusta or something. "Does your town plow private roads? If you are plowing them, stop. If you are not, don't start." Also since 1998, we have discontinued, to come into compliance with the law at least a dozen roads in this town. Eric was out running around getting easements. Jeremy, we discontinued your road. We had Ed Lane come up there off of Gagnon, his road was discontinued. Some gave easements where we needed them for bus turn arounds and other things where we could show a purpose but where we could not show a purpose, those roads were discontinued. That's just the way it is. And as I said, that was for us to come into compliance with the existing law that we had from a court case of 1988.

**Statement: Town Manager, Ryan Pelletier-** This question is for John (John Ezzy) Since 1994, you've approached the board 57 times, 57 times and they are all recordable dates, okay they are all right here my friend. Since 1994 to 2017, now you're talking about railroading, whoever was the board from 1994 up until present has asked for easements 13 times to you, directly. So where are they John? Whose getting railroaded? Who is getting the shaft? Whose paying for all this? It's us. The taxpayers. But my goodness, I'm not going to get into it but it's a big waste of money since 1994 to 2017. How many times

John? 57 times you've approached the board to talk about Pelletier Ave. Man, if we had 57 other priorities in life, man look where we'd be. It's not fair. It's not fair that you did this to the Town of Frenchville.

Someone from the audience said "That's inappropriate" and another added "Wow, very inappropriate" Town Manager, Ryan Pelletier then asked who is putting the cost on all the bills? The taxpayers are.

**Response:** Chairman, Craig Lawrence responded to why the meeting date was tonight. Yes, the judge did sign it, it was August 18<sup>th</sup>. We did not receive this until two weeks later. Which was the beginning of September, and from there Ryan looked up in the MMA Statues to hear a petition, the petition and all that needed to be given a 45-day notice. We contacted our lawyer, our lawyer said we were correct with our interpretation and from that time in October until now, is how we came up with this date. It would have been a week earlier but with Elections last week, it got put off to this week. So that's the reason for tonight's meeting.

**Statement:** John Ezzy- That does not answer my question.

**Moderator:** So you believe that, that doesn't answer your question?

**Question:** John Ezzy- Why did it have to go 45 days?

**Response:** Chairman Craig Lawrence- Because that is what MMA Statue says.

**Response:** Yvon Dube- He just said because it had to go Secret Ballot.

**Statement:** John Ezzy- You don't have to go 45 days, you can go 45 days but you can also go 30 days, or 15 days, that's in the Statue.

**Statement:** Yvon Dube- We chose 45 days to cover all our bases.

A POINT OF ORDER WAS MADE BY PAUL BERNIER---Anyone who speaks needs to be recognized.

**Statement:** Phil Pelletier: Mr. Ezzy said that paving was not an issue anymore. How come it's still on the Article? That's going to make a big difference on the votes. Just the paving part will make a big difference. That should be taken off the Article.

**Moderator:** Is this a form of a motion?

**Mr. Phil Pelletier made motion to remove "paving" off the Article. Paul Bernier seconded the motion for discussion. All in favor.**

Town Manager, Ryan Pelletier and Chairman Craig Lawrence discuss how they aren't sure if they can amend the article.

**Question:** Paul Bernier- So you're telling us right now that if we amend this Article, we can't?

**Response:** Chairman Craig Lawrence: We don't know.

**Question:** Paul Bernier- You don't know!?! You should have been prepared for that because they told you a month ago to leave the paving out of it and to maintain the road. I heard that at a meeting at the Town Office.

Board of Selectman, Yvon Dube tried to speak and was shot down by Paul Bernier who pointed and said "You need to be recognized!"

**Statement: Paul Bernier:** If we can't amend that then we have no business here.

**Statement: Nicole St. Pierre-** So whose to say that he doesn't want tar today, we vote tonight, and tomorrow he wants tar? He's done it 57 times since 1994. What are we going to do? Start over again?

**Statement: Paul Bernier-** At this point, we need to be realistic. John said it, there's not going to be any tar.

A towns person says "So he says" and "Maybe not tonight"

**Statement: Paul Bernier-** We're not going to have any more money!

**Statement: Yvon Dube-** The article not only says paving okay? You want to take improving out...

Paul Bernier interrupts BOS Yvon Dube, Yvon continues his comment. Wait! I'm talking you told me to shut up awhile ago now it's my turn. The Article say improving, maintaining and repair, do you want to take all that out too?

POINT OF ORDER WAS MADE BY PAUL BERNIER---First of all I never told this man to shut up. Secondly, the way the article is written paving is part of the article. Paving, maintaining...yes, I agree we need to maintain it and well keep it, but paving is in that article. We have a lot of people here, when they go to vote and they see paving on that article, it's going to be a No vote.

**Moderator:** I've been asked to read this, regarding plowing public roads. "We sometimes hear this too, but it's not and never has been true. Plowing or otherwise maintaining private roads at public expense is a violation of the Maine Constitution, Public Purpose Clause which requires public funds to expended only for the public purposes. See pages 560 A2 520. There is no statue case law or hidden theory to support the claim that plowing a private road for any period of time somehow obligates the municipality to continue doing so despite the law. Nor does a history of plowing a private road in some way grandfather or permit the municipality to continue the practice." And this is from MMA

**Explanation: Chairman Craig Lawrence-** If this makes any sense. Even if we take the paving out, it's still illegal to plow and maintain. So for us to move forward, we would have to move forward and spend whatever costs it would be to get whatever easements that are necessary because we have no easements for that road other than Dragon, up to the sludge site. The rest of that road is not documented and the rest of the road would have to be descriptive easement, eminent domain, whatever for us to do anything, anything legally.

**Moderator:** Mr. Chairman if I can project, if paving is just out of the article, you stand a better chance for the community to say yes let's continue to maintain and up keep the road for the members of our community who reside on the road. Until such time...

**Response: Chairman Craig Lawrence-** We have to get easements though no matter what. And under important orders that John Ezzy was allotted to Mr. Ouellette, that there are already provisions that must be met to get the easements from them, so we're going to be spending a lot of money.

**Moderator:** So are you telling me for a point of clarification, that easements are necessary in order for this article to pass? To maintain...

**Response: Chairman Craig Lawrence-** For us to maintain that road in any form, we have to get easements from everybody on the road. There's actually a list that John Ezzy put together of the people who we would need. John Ezzy submitted that to the town and those are the easements that we would need.

**Statement: Jeremy Pelletier-** In a perfect world where we'd have the easement and we vote that we're going to maintain the road and the court has no choice but to do what the taxpayers want, and they have to maintain the road.

**Response: - Chairman Craig Lawrence-** Well that's false because the taxpayers can not vote to break the law.

**Question: Jeremy Pelletier-** Then why are we here?

**Response: Chairman Craig Lawrence-** We're voting, do you want to spend the money to get the easements? Or do you want to sit here and say that we're done with this project.

**Question: Jeremy Pelletier-** So if we have a snowstorm tomorrow and everything is in motion, you're not going to go plow them out?

**Response: Chairman Craig Lawrence-** If everything's in motion what...

**Question: Jeremy Pelletier-** Well if you're working on getting easements, these people not only you know...these people need to get to their houses, getting easements isn't going to happen until who knows when.

**Response- Chairman Craig Lawrence-** I understand that. If the town would vote to get the easements, that as you said would put things in motion, we would be able to continue as such. If they vote not to,

**Moderator:** I think that we have to out of curtesy to the public, think of public safety. So I don't think it's in our best interest to

A towns person asked for the Moderator to read the article one more time. There is a lot of the discussion that is being said, I want to make sure.

**Moderator:** I can certainly do that. The article reads as follows "Do you want to use Town of Frenchville tax payer dollars and town funds, to continue the paving, improvement, maintenance, and repair of that portion of Pelletier Avenue running from Starbarn Avenue to the Madawaska Town Line of Pelletier Avenue (a/k/a Pelletier Road)?"

**Towns person:** Thank you, so there's a motion on the floor to remove the wording paving. Is that correct?

**Moderator:** That is correct.

**Towns person:** So are we still up for discussion on that motion?

**Moderator:** Yes

**Statement: Ann Ezzy-** You are discussing, and assuming that this is a private road, there's a judge said that it wasn't. I'm talking, I waited for half hour to say that. Now what about when the towns people voted at a regular town meeting where everybody was here, they voted to go on with the project and Pelletier Avenue was part of that. Now we're here saying, if you don't want to pave the road. Don't pave the road. But I would like to ask this to the selectman up there, they seem to be the only ones that really wanted to kick us out of our homes and they are like totally miserable. I'm going to take the opportunity at this point to let you guys know that you have really succeeded to do that. But it is totally inhuman to make 3 people who have lived there 20 years. I got kicked out of my home, ok? Because I'm 77 years old and I can't possibly live on a road where I can't get an ambulance. Alright, now there's a kid that needs to go to school, it's totally inhuman what you're doing, why are you being so vindictive?

**Statement: David Pelletier-** You know the Town of Frenchville to me and its' people are very dear to my heart, but tonight I'm really ashamed to say that I'm a resident of Frenchville. Due to the fact that I've been living up there for almost 20 years and they talk about easements, they talk about right of ways, they talk about all that stuff. Mr. Lawrence let me explain. Half the town and out of all the municipalities in Maine do not have easements or right of ways. Pelletier, and lower Pelletier ave do not have easements or right of ways, but still your going to maintain them. The other thing is that Church Avenue and all the streets here in Frenchville don't have right of ways or easements. Now what you guys are saying here is a bunch of bullshit! You're a bunch of.....

Towns person said "Careful" as he was about to swear.

**Statement: David Pelletier-** But I'll tell you one thing, there's a lot of people out there that do have hearts, if Frenchville doesn't want to help us, the Town of Madawaska has committed themselves. They'll take care of the road. They told me that. They assured me they'll take care of it.

(John Ezzy turns around to look at David Pelletier in disgust)

**Statement: David Pelletier-** They assured me they will take care of it. Alright, at this point I don't care what you guys decide to do tonight, it's your business. If you want to be a bunch of animals, so be it.

David Pelletier points to the Ouellette's direction and mumbles something in French.

POINT OF ORDER TOWARDS DAVID PELLETIER

**Statement: Patricia Fernald-** OKAY! IT'S MY TURN! Dave I appreciate what you had to say. I'm a bit confused though. It was voted on, at a town meeting to take care of the road. And some people got upset because it was going to be paved, so it got reversed. And then the town selectmen are blaming it on the greed of somebody else. You can't do that when the town voted for it. Now they have graciously said, ok let's not pave it, please just keep our road open, and it ain't a private it road! I don't know where you're getting that from. You never would have had it voted for at a town meeting had it been a private road. Be gracious to these people, as they have been to you. "We won't have it paved, just keep it opened in the winter for us." What's so hard about that?

Moderator: Thank you

**Statement: Bruce Ouellette-** A couple short points. If it wasn't a private road why do we have to give a deed to the town? Where the hell are you from? If you own something, have the paper work to back it up. I've got the paperwork to back it up. Point number 2, pavement, pavement, pavement...WHEN? One

question. When was it said that they were taking pavement off the post? Does anybody know that? When the group of people over there said "we don't want pavement anymore." When was that? Does anybody know?

**Response:** Ann Ezzy- Yes I do.

**Moderator Responded:** October 2016

**Question:** Bruce Ouellette- When was the petition written? In May, pavement was still on the board, that's why it's in the petition. I didn't write that thing, I paid \$2500 to get my lawyer to write it. It is what it is. In May pavement was the thing, and October no more pavement. The petition is as it stands.

**A motion was made by ?????????? to cease discussion.**

**Moderator:** There is a motion on the floor to cease discussion. Do I have a second? Two thirds majority vote...All in favor?

Towns' people raise their hands

POINT OF ORDER WAS MADE BY PAUL BERNIER---If we cease discussion, that means we go to vote?

**Moderator:** That's right.

**Statement:** John Ezzy- We have to vote on the agenda first.

Discussion between the Moderator, Town Manager, and Chairman of the Board about whether they can vote on an amended article which was originally a citizens' petition. Town Manager steps out to call a former colleague, Ryan Pelletier former Town Manager of Madawaska, to clarify.

**Moderator:** At this point I do not have an answer if we can amend the article be cause....

John Ezzy interrupts and raise the "Maine Moderators Manual" and gives it to the Moderator to look over. Moderator consults with Chairman Craig Lawrence and Town Clerk Susette Zetterman.

**Moderator:** I am getting clarification. At this moment I am being told, this is due to an article and not eh...a petition not an article.

**Statement:** John Ezzy- This may have been caused by a petition but it's an article on the board, of a town meeting. Any article on the board of a town meeting can be amended by majority vote.

**Response:** Chairman Craig Lawrence- Were getting clarification.

**Question:** John Ezzy- Where are you getting this clarification from?

**Response:** Chairman Craig Lawrence- Ryan's outside on the phone.

**Question:** John Ezzy- Why is he outside?

**Response:** Chairman Craig Lawrence- Because he can't hear.

**Question:** John Ezzy- Pardon me?

**Response:** Yvon Dube- So he can hear.



**Statement: John Ezzy-** Maybe we want to hear the conversation as well.

**Moderator:** There's a question in the back, Mr. Cyr. Are you a resident?

**Response: Mike Cyr-** I would like permission to speak first of all. Just to bring out a few facts about Pelletier Avenue.

**Moderator:** The question is will the towns people allow Mr. Cyr to give some clarification. (Towns people raise their hands) Go ahead sir.

**Statement: Mike Cyr(Surveyor)-** Thank you very much. I just wanted to bring out a few facts about Pelletier Avenue. Pelletier avenue back in 1870 as previous speakers talked about, was a road. It was shown on certain maps and in 1905 the town had an article at a town meeting similar to this and they had an article in there to expend \$2000 on the crossway. It wasn't to build the crossway from scratch in 1905. It showed on the maps in 1870, 1880 the road existed. Now I'm not here to decide whether it's public or private, but I'm just bringing out the facts about Pelletier Avenue. In 1905 they voted in a town meeting to expend \$2000 on the prospect, it already existed they were just making it...improved; improvements to it. So \$2000 spent on an existing crossway which connected Bouchard settlement through to Starbarn Avenue, there was the Roosevelt school that Starbarn Avenue; there was also the Washington school on Airport Avenue. So this was a very important, and I'm sure busy road even back then. Now the reason that there is not a deed for the road, I can not explain. It could have been lost, I could have been done. There are rules that sometimes happen that they can assume that a deed was made but it was lost and never recorded so nobody really knows and there's no answer to that. However, the deed that they were in the process of trying to make and have signed is only a confirmatory deed. It is a deed that you make when you've exhausted all of the reasonable efforts to find the record and now you just want to confirm that "hey, this has been a road for 150 years and now we're going to make it such." By having this deed signed it is a confirmatory type of deed. It doesn't create something from scratch. This road has existed since 1870. \$2000 was spent on it in 1905, they had a public meeting, they voted and approved \$2000 for the road. Not to create the road. This already existed. So from that time that road has existed and I'm hoping that the towns people will realize that Pelletier Avenue is a town way and they will vote to keep it open.

**Statement: Camille Bernier-** I would just like to do my part, and talk about the road and years and all that stuff. Why is it that still today that the crossway over there, that the shortcut that goes to the airport; why did they discontinue it? It closed because they considered it a suburb. The other one for many years was considered a suburb. That has not been clarified. In my life, I've been here since 1963. That's a little more than 20 years. We've gone through a lot and we like to help people, but it's done with kenivingness and underhanded stuff and all the stuff that we're doing for a little town like this; that's supposed to be a small town with a big heart. That's our logo, small town with a big heart. But we have to use our brain. The people that are insisting that are going to go through there; it takes my attention that their going to claim that territory through eminent domain. Fly through the roof. You don't take people that were born and raised here and developed the land and fed the people, and worked their people and take away their land. You don't do that. So I got nasty and I think there is a lot more to the story than what's being told here. 20 years is short, but when you start pushing people around your not even from this town, do your business somewhere else, and you buy your houses somewhere else and it's a big developing project. It throws a lot of thoughts in peoples' minds. I would definitely be for, making sure that the people at that border; to plow the road. But the situation of

paving and spending money on a plan that's not even supposed to be there, not legally! The people the need to give easements and (could not understand the rest of his statement)

**Statement: Paul Bernier-** Just a little point of clarification on that shortcut. Bruce if I can refer to you; you're in the water there. That's probably your property right?

**Response: Bruce Ouellette-** It's weird

**Statement: Paul Bernier-** That's why it's a seasonal road, we brought that up before at a meeting.

Camille stands up for point of clarification as the Moderator had elected Ann Ezzy.

**Statement: Ann Ezzy-** Your done, I've got the floor. He says the town has a big heart; yes. 19 years ago the selectman on the board at the time made a decision when we asked them to open the road in the winter. They made a decision to help us, that's having a good heart ok? Now, there's somebody right now that says "no heart anymore", "we're closing the damn thing...let them rot over there" And we're not here to cause the Ouellette's a problem, and if we did anything, and I've said it to them personally...if we really hurt them, I apologize. We've done everything to help out with this matter. In the mediation, we offered a 100 acre lot...everyone's walking out because they don't like to hear it. There's 100 acres that we offered them because we don't want to touch they're land. We have nothing, nothing at all against those people.

**(BOS walks outside to have a discussion about amending the article)**

**Statement: John Ezzy-** Why don't we take a vote?

**Moderator:** The item hasn't been moved off the table, I wanted a point of clarification on the amendment.

**Question: John Ezzy-** I'm assuming the selectman want to recess or what's happening? We should vote.

**Statement: Michelle Sirois-** Where was the gentleman that was here talking a minute ago? Do you know my husband? We're Carl & Michelle Sirois, are we from out of town us? NO. (Video became unaudioable) I'm from Grand Isle and moved here to Frenchville, because it has good schools. We just happened to drive by one day and the land was for sale. Now we've gone through all the motions, we've gone through a realtor, we've gone through everything right. (Can't understand the video) 16 years later the road becomes a private road and my son can't take the bus? We can't get heating oil? We're suppose to freeze to death? It's a private road, so we can't get any work done.

**Moderator:** I would like to see what kind of determination we have.

**Town Manager, Ryan Pelletier:** Right now, the Board of Selectman and I have spoke to the previous Town Manager in Madawaska, Ryan Pelletier; what's happening is it's kind of a 50/50 thing. We can accept the motion and go through the article as it is with removing "paving" on the continuedly that Maine Municipal weighs in tomorrow morning on changing the language entirely. It has to be attached to....we may have to come back to another meeting.

**(Can hear Ann Ezzy in the back ground complaining about another meeting)**

**Question: Paul Bernier-** If we vote on this amended article with no paving, and it passes and tomorrow morning Maine Municipal says it's not legal we got to do another vote; I would want that included in the

conditions that, that road will be maintained until the next meeting. What if we got a snow storm next week?

**Statement: Towns Person**– Well first of all that article shouldn't have been written that word. They don't want paving so what's the big deal?

**Statement: Yvon Dube**- We brought to the townspeople the way the article was written ok? We didn't write the petition...The petition was written, we reviewed the petition, all the signatures were good and we had to bring it to vote as it was written on the paper. We didn't change anything. It's the Ouellette's that wrote the article as is.

**Question: Bernard Nadeau**- When you describe Pelletier Ave; the vote we're going to take, does it just specify that portion or from route 1 up to the tarred part?

**Moderator:** From the sludge site to Starbarn.

**Question: Bernard Nadeau**- Ok, because that's deceiving. Pelletier Avenue is longer than what's in the discussion.

**Moderator:** Right, as I just expressed. It's from the sludge site, to Starbarn.

**Question: Paul Bernier**- This is the second edition of this right?

**Response: Chairman Craig Lawrence**- This is the first edition but it had to be heard twice because at the first meeting they opened up voting before the meeting.

**Question: Paul Bernier**- What was worded in the first meeting?

**Response: Chairman Craig Lawrence**- The same thing. It was the exact same thing. This is where we are running into problems. I know, because we've read it several times, that the wording of a petition cannot be changed without bringing it to each individual signer, and this is where we are at now. Because essentially even though its in the article, it was still brought by a petition therefor we'd have to take it to each individual signer.

**(Ann Ezzy screams " He doesn't have the floor!")**

Chairman Craig Lawrence responds to Ann Ezzy's comment: I do have the floor, I was answering Mr. Bernier.

**Moderator:** There a motion made out by John Ezzy to cease discussion.

**Question: Paul Bernier**- Will it include the amendment to maintain the road until we hear from MMA?

**Question: Towns person**- How can there be two motions out on the floor at the same time?

**Response: John Ezzy**- This is an amendment to amend the first amendment.

**Response: Towns Person**- We need two thirds vote majority.

**Moderator:** So we have on the floor, First: To amend the article; to remove "paving" and to add that the road will continue be maintained until such time that we receive determination from MMA. Is this correct?

**(Discussion between Moderator and BOS)**

**Moderator:** So I have a first and a second on that motion to amend the article. All in favor.

Towns people raise their hands.

**Moderator:** Opposed?

Towns people raise their hands.

**Moderator:** Amending the article carries.

**(More discussion between the Moderator and BOS)**

POINT OF ORDER MADE BY PAUL BERNIER

**Question: John Ezzy-** My question here is how are we going to proceed, when you've printed the ballots already for a secret ballot? Normally in a town meeting when you have a secret ballot, you give people a piece of paper with Yes or No on it, and when they go in, they either want "Yes they want the article to pass" or "No they don't want it to pass". This method of printing the entire article in advance it excludes any type of amending. How do we proceed with this type of secret ballot vote?

**Response: Town Manager, Ryan Pelletier-** Mr. Ezzy, it was the same exact way as last time. This makes 3 times that we are voting for this, so how come last time it was ok? The voting process was challenged John.

**(Discussion whether the road is public or private between John Ezzy and Chairman Craig Lawrence)**

**Moderator:** We had a motion on the floor and it has carried. Now, do we have a motion on the floor to go into secret ballot? And let me explain before we move forward. You are voting on the following: We have amended the original article, we've scratched of paving and added to that; that the road will continue to be maintained until further notice from MMA to what direction we should take but for public safety we will continue to maintain that road during this time of the season of the year. So you'll be answering yes, to continue to maintain the road, or no, to not continue to pave the road as we stated.

**Statement: Paul Bernier-** Unfortunately if MMA comes back and says that we can't amend a motion like that, we need to come back to another meeting.

(BOS agrees)

**Statement: Paul Bernier-** Ok, so it's understood that we're going to maintain it until we hear from them.

**Response: Chairman Craig Lawrence-** My only question and point there is if it's over turned, it's still a private road, and we are now spending public monies on it.

Towns person screams out "YOU HAVE BEEN!"

POINT OF ORDER BY MODERATOR

**Moderator:** I hold a question at this point to go into secret ballot mode. All in favor.

**VOTING BEGINS**

**Moderator:** I have the results of the secret ballot voting. It is as follows: I hereby certify the following as a result of the election for the Town of Frenchville on November 14, 2017. I'll re-read the article. Do you want to use Town of Frenchville tax payer dollars and town funds to continue the improvement, maintenance and repair of the portion of Pelletier Ave running from Starbarn to Madawaska town line of Pelletier Avenue aka Pelletier Road. Also note that I struck out paving and also the amended article to continue to maintain the road until further notice until we get information from MMA. So you voted on that.

**The outcome is the number of YES votes: 55**

**The number of NO votes: 46**

Article as amended, carries.

**Moderator:** Do I have a motion to adjourn?

**Motion was made by Paul Bernier and seconded by Manzer Belanger.**