

Town of Wayne Selectboard

MEMBERS: Don Welsh, Trent Emery, Amy Black, Stan Davis, and Lloyd Irland

Meeting Agenda

Date: Tuesday August 21, 2018

Time: 6:30 PM.

Place: Wayne Elementary School – Library

Call Meeting to Order.

Pledge of Allegiance.

Selectboard Present / Quorum.

Business Agenda.

Meeting Minutes.

- a. **Consider approving the Selectboard meeting minutes for August 7, 2018.**

Manager Recommendation: Move the Board to approve the Selectboard meeting minutes for August 7, 2018.

Warrants.

- b. **Consider approving Payroll Warrant #7.**

Manager Recommendation: Move the Board to approve Payroll Warrant #7 in the amount of \$_____.

- c. **Consider approving Accounts Payable Warrant #8.**

Manager Recommendation: Move the Board to approve Accounts Payable Warrant #8 in the amount of \$_____.

Business Agenda.

- d. **Open Space Committee Recommendation**

Manager Recommendation: Take any action needed.

- e. **Discuss T.Lee Howard's offer**

Manager Recommendation: Take any action needed.

- f. **Consider adopting Selectboard Bylaws.**

Manager Recommendation: Move the Board to adopt the Selectboard Bylaws.

- g. **Consider adopting Tobacco-free Policy.**

Manager Recommendation: Move the Board to adopt Tobacco-free Policy.

- h. **Consider creating a Municipal Charter.**

Manager Recommendation: Take any action needed.

**Town of Wayne, Maine
Select Board Meeting Minutes
Tuesday August 7, 2018
Wayne Elementary School**

Call Meeting to Order/ Selectmen Present

Don Welsh determined quorum and called meeting to order at 6:30 PM with the following members present: Amy Black, Stan Davis, Lloyd Irland, Trent Emery, and Don Welsh.

Others Present: Aaron Chrostowsky, Town Manager, and Cathy Cook, Town Clerk
Audience: Peter Ault and Robert Stephenson.

**Pledge of Allegiance
Meeting Minutes**

- a. The Board tabled the Selectboard meeting minutes of the Board of Selectmen for July 24, 2018.

Warrants

- b. The Board approved Payroll Warrant #5 in the amount of \$11,531.49. (Emery/ Davis) (5/0).
- c. The Board approved Accounts Payable Warrant #6 in the amount of \$327,760.63. (Black/ Davis) (5/0).

Business Agenda:

- d. The Board adopted the Bylaws of the Board of Selectmen. (Emery/Davis) (5/0).
- e. Review and Discussion about Tax Acquired Property Ordinance.
- f. Discussion about Citizen Engagement.
- g. Discussion about Open Space Committee options for Wilson Pond Lot.
- h. Discussion about T. Lee Howard's offer to buy portion of Wilson Pond Lot. Town Manager to send
- i. Discussion about adopting a Town-wide Tobacco Free Policy. Town Manager to provide a written policy for consideration.
- j. Discussion about setting up a retreat for meeting for Board Transition, Goal Setting, and Priorities.

Abatelements/Supplements: None

Town Manager Report:

- a. Town news and Memo on Moorings attached.

Board Member Reports:

Selectboard Meeting Minutes – July 10, 2018

- a. Lloyd Irland discussed Open Space Committee will provide update/summary at next Selectboard meeting.
- b. Trent Emery asked for update on Road Bids.
- c. Stan Davis stated vendors complained that new rule to park on only one side of Main Street during Farmer's Market is hurting business there. Stan suggested Selectboard members check out situation at upcoming Saturday's Farmer's Market.
- d. Trent Emery suggested new Board members be diligent about reading agenda packet before Selectboard meeting and sharing information before meetings, via email.

Public Comments:

- a. Robert Stephenson suggested the Board should consider consulting with real estate agents about the problem of finding available appraisers for former Pettengill Property.

Motion to Adjourn at 7:55 PM. (Emery/Ireland) (5/0)

The next Select Board Meeting is scheduled for Tuesday, July 24, 2018 at 6:30 p.m. at the Wayne Elementary School Gymnasium.

Select Board Members

Recorded by:
Aaron Chrostowsky, Town Manager

Gary Kenny

Stephanie Haines

Don Welsh

Jonathan Lamarche

Trent Emery

To: Selectboard
From: Open Space Committee (OSC)
Subject: Results of OSC vote of options to be presented to voters
Date: August 17, 2018

The OSC's work resulted in 5 options (Options A through E) that were presented during a public input session on August 14, 2018. There were 64 attendees, not including the OSC and the Town Manager. There were many thoughtful comments and we felt it was a well-run meeting.

In reviewing the oral and written comments, the OSC did not feel that any comments resulted in additional options that should be considered.

The OSC discussed the public comments and the options and could not come to agreement on any one option to be recommended. The result was three possible recommendations that were voted on by the OSC on August 16, 2018. Those recommendations and number of votes are as follows:

1. Present all options to voters, either pick one of five (if allowed legally for a referendum question), or use a ranked choice method. Aaron received an opinion from a lawyer from MMA, that ranked choice voting for a local referendum would not be legal without an approved local ordinance allowing it.
2 votes: Stevenson and Emery.
2. Present a choice on two options, Option A or C, vote for one. Again, the board would have to determine if that is legal for a referendum question.
2 votes: Mercier, McLaughlin
3. Present Option A to voters, yes or no.
4 votes: Lane, Cushman, Spaulding, Irland

The OSC has worked very hard for almost two years. Discussions have been contentious at times, but we feel we did the best we could to try to provide some guidance and information to inform the board and voters on this topic. At this point, we feel that we have met the directive from the board and request that the board disband this committee.

Wayne Town Manager

From: Wayne Town Manager <townmanager@waynemaine.org>
Sent: Thursday, July 26, 2018 4:45 PM
To: Bruce Mercier (wmtreas@gmail.com); Chris Cushman (cs3186@aol.com); Ford Stevenson (fordstevenson@roadrunner.com); Lloyd Irland (lcirland@gmail.com); Margaret Lane (Margaretlane16@gmail.com); Stephen McLaughlin (mclaughlin.steve.a@roadrunner.com); Sue or Ken Spalding (spaldings4@msn.com); Trent Emery
Cc: ablack1503@aol.com; Don Welsh; Don Welsh (dtwelsh277@gmail.com); Stan Davis; Trent Emery (temery@waynemaine.org)
Subject: Open Space Directive
Importance: High

To: Open Space Committee
From: Aaron Chrostowsky, Town Manager
Re: Open Space Directive
Date: 7/26/2018

At our last Select board meeting on July 24, 2018, the Selectboard took the following actions:

Committee size: Change Committee size from a minimum of 5 to a maximum of 7 to a committee of 8. We currently, have 8 members.

Deadline: Final Report of the Committee must be submitted to the Selectboard on or before Labor Day, September 3, 2018. It is the Selectboard's intention to place an article on the ballot for November 6th, 2018 election. For that to happen, the Selectboard must sign the warrant at their September 4, 2018 meeting (60 days) in advance of the election. Then, the Selectboard must hold a public hearing 10 days prior to Special Town Meeting (secret ballot). Tentatively, the Selectboard will hold a public hearing of the warrant on October 30, 2018 at their regularly scheduled meeting. The purpose of this public hearing is to educate voters on articles to be voted on at Special Town Meeting.

Open Space Committee agreed that they would hold at least one public hearing prior to presenting a final report to the Selectboard. You would have to hold their public hearing prior to Labor Day. This public hearings purpose would to gauge public input on this topic prior to submitting a report to the Selectboard. If you held your public hearing on August 28, 2018, we would have to place a notice in a paper of general circulation on or before August 15, 2018.

Recommendation: If the Committee cannot come to consensus on this matter. The Selectboard would appreciate a majority / minority report.

If you have any questions, please don't hesitate to contact me at (207) 877-1214 or townmanager@waynemaine.org.

Aaron Chrostowsky, Town Manager
Town of Wayne

Wayne Open Space Committee
OPTION DESCRIPTIONS
For the
Town of Wayne Wilson Pond Property
Aug 12, 2018

OPTION A. Sell property to KLT for the amount of back taxes and Town's legal costs.
Highest option for predictable conservation and public recreation.

- **Sale Income.** KLT will purchase property for \$70,000.
- **Tax Revenue.** KLT would make payments in lieu of taxes at the current use Managed Forest Open Space rate, which would be approximately \$700 per year
- **Town Costs.** Once the sale is complete, there would be no costs beyond that provided to other private property. Past Town costs are recouped.
- **Conservation.** The entire property would be under conservation. KLT exists for conservation and will manage for the multiple values of conservation. Management could include timber management.
- **Recreation.** Public use, such as hiking and hunting, is an important part of KLT management. KLT is structured to manage property for conservation and public use of property. It will bear the cost of constructing and maintaining public use facilities, such as trails, kiosks, parking lots, picnic tables, etc. Public use is subject to KLT policies.
- **Predictability.** This is the most predictable option. Many of the issues have already been worked out with KLT and/or can be predicted by the demonstrated management of other KLT lands.
- **Comprehensive Plan.** This option contributes to the Plan's goal of conserving 15% of the Town's remaining developable land (~1,000 acres). It also aligns with goals related to water quality, wildlife, forests, economy and regional cooperation.
- **Consider:**
 - Motorized recreation may be limited by KLT. It does not allow ATV use and snowmobile use may only be allowed on a future ITS trail.
 - Trapping is not generally allowed on KLT property and would require a vote of the Board to allow on this property
 - KLT would need to fundraise to acquire the property
 - Recreation uses not controlled by deed will be contingent on KLT policy.

OPTION B: Sell property outright with no conservation easement.
Potentially the highest cash return option

- **Sale Income.** Property would be sold, as is, likely to the highest bidder with no conservation easement attached. This should provide a one-time income to the Town of approximately \$275,000.

- **Tax Revenue.** This option is likely to produce the highest tax revenue over time. The actual tax revenue could vary significantly depending on what the future owners choose to do with the property. Using the value at the estimated sale price the tax revenue would be \$4,675 per year.
- **Town costs.** There would be legal costs to close the sale. Once the sale is complete, there would be no direct costs beyond that provided to other private property. Past Town costs are recouped.
- **Conservation, recreation, predictability, suitability.** The results cannot be predicted and therefore the other elements cannot be projected because it will be private land, managed as the owners choose. Likely no public access or open space designation.
- **Comprehensive Plan.** This option does not appear to support any elements of the Plan.
- **Consider:**
 - Actual annual tax revenue could vary greatly depending on how future owners choose to use the land.
 - To follow the Comprehensive Plan, the Town will have future costs to acquire other land to fulfill the goal of conserving 1,000 acres of developable land. This could amount to more than the income from this option.

OPTION C: The property to be divided into 3 parcels. A) two large building lots (not to be subdivided) west of the road, up to 12 acres each (exact locations not yet determined), both with deeded access to the waterfront. B) the remainder of the property, including the areas east of the private road (waterfront), and land around the two building lots would be retained by the town (and/or land trust) as open space land.

- **Sale Income** This should provide a one-time income to the Town of approximately \$110,000.
- **Tax Revenue:** Future tax revenue to Town from the two lots at approximately \$3,740 combined plus from any future buildings & improvements on those lots.
- **Town costs:** Survey, sale prep, and closing costs for the two lots. A rough estimate of \$6,000 for survey and sale prep of the of the two lots. Past Town costs are recouped.
- **Conservation:** 85+ acres remaining including waterfront conserved as open space by land trust easement or ownership, or by Town ownership and Town policy.
- **Recreation:** Public access, uses and recreation on the reserved 85+ acres will be controlled by Town and/or easement holder.
- **Predictability:** The location of the open space and lot areas are determinable. By deed covenant, the 2 lots would not be divisible. Some other uses could be dealt

- **Comprehensive Plan.** This option should align with the Plan's goals to the same extent as Option 1.
- **Consider:**
 - With a KLT-held easement, ATV use and trapping would likely face the same challenges or uncertainty as in Option 1. Uses of the property and the division of responsibility for the uses needs to be negotiated for inclusion in the easement.
 - Effective and sustainable timber management requires adhering to long-term management plans. Because ordinances and management goals can be changed at any Town meeting a special management arrangement, such as a termed easement, would be needed to ensure long-term plans are followed.
 - There are costs & liabilities of property ownership.

OPTION E: Town keep as a permanent Town Forest with no easement.

Provides greatest flexibility to the Town for future use of the property.

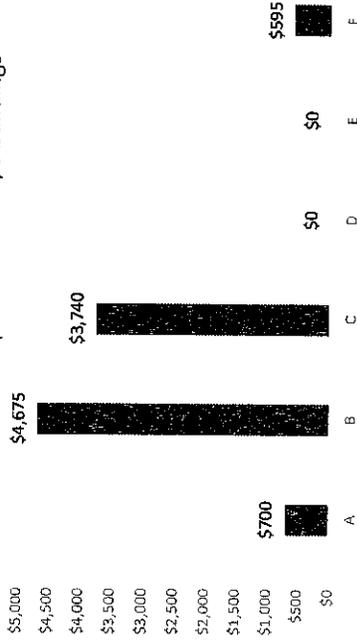
- **Sale Income.** None
- **Tax Revenue.** None
- **Timber Revenue.** Estimated at about \$20,000 over the first 20 years, but for a reliable estimate a timber inventory and management plan would need to be developed.
- **Town Costs.** Timber management would require a timber inventory and management plan at an estimated cost of \$1,500. The Town would need to pay for any recreational development costs. The Town could be liable for some road maintenance costs. Past Town costs are not recouped.
- **Conservation.** Potential for benefits of Option 1 to also be gained by this option, assuming that the intent to manage for timber and conservation is adhered to.
- **Recreation.** Public access is assured. Uses determined by Town policy. Developed recreation such as parking, trails and picnic areas is less certain.
- **Predictability.** The Town retains flexibility to manage property uses into the future. The more flexibility the Town retains in managing the property, the less predictable the outcome. A termed easement to avoid sudden changes could reduce flexibility, but increase predictability.
- **Comprehensive Plan.** This option could align with the Plan's goals to the same extent as Option 1, but this depends on the Town committing to conservation of the property and a reduction in flexibility.
- **Consider:**
 - The Town may allow ATV use and trapping that KLT might not, but it may also decide to have more limitations on public use than KLT.
 - Effective and sustainable timber management requires adhering to long-term management plans.
 - Without an easement or trust, permanence cannot be guaranteed.
 - There are costs and liabilities of property ownership.

Draft Options Spreadsheet for the House Rd Property version 11.1 LI FS 8.6.18		C, Sell two large lots with deeded water access. Keep Remainder for Open space. Lots not to be subdivided.		D. Keep as Town Forest, Easement to KLT		E. Keep as Town forest		F Sell 4 odd shaped parcels to abutters prior to other disposition	
DISCUSSION & FINANCIAL INFO	A Sell to Kennebec Land Trust for all back taxes and legal costs (managed forest open space)	B. Sell outright as one parcel, no conservation easement	C, Sell two large lots with deeded water access. Keep Remainder for Open space. Lots not to be subdivided.	D. Keep as Town Forest, Easement to KLT	E. Keep as Town forest	F Sell 4 odd shaped parcels to abutters prior to other disposition			
PROP TAX	Some tax revenue. Town recoups loss. Max open space. KLT managed recreation and stewardship. Yes	Likely higher tax revenue stream. Town recoups loss.	Probable higher tax revenue stream than #1. Town recoups loss	Town recoups loss. No future tax revenue.	Town loss not recouped. No future tax revenue.				
OPEN SPACE	Yes	None likely	Significant open space (minimum 80%)	Max open space. Managed recreation	Max open space. Town controls land and use management.				
PUBLIC ACCESS	Yes	Likely No public access	Likely less public access.	Yes	Yes				
ENVIRONMENTAL VALUES	Most	Uncertain	Medium	Most	Most				
TIMBER RESOURCE	KLT resource management & income	Owner resource management & income	Unknown.	Town resource management & income	Town resource management & income				
KLT FUNDRAISING	Yes	Possible development.	Limited	Yes	None				
DEVELOPMENT	None	Determined by owner and/or easement conditions	Determined by owner and/or easement conditions	None	Determined by Town				
USAGE	Determined by KLT Policy	Determined by owner	yes	yes	Determined by Town				
ALIGN W/ COMP PLAN	yes	No	yes	yes	yes				
ROAD LIABILITY	KLT	Owner	Owner	Town	Town				
CURRENT TOWN ASSESSED VALUE	399,400	399,400	399,400	399,400	399,400				
CURRENT ANNUAL PROP TAX(17+MIL)	6,790	6,790	6,790	6,790	6,790				
ESTIMATED MARKET VALUE	275,000	275,000	275,000	275,000	275,000				
ESTIMATED ANNUAL PROP TX	700	4,675	3,740	0	0				
COST TO IMPLEMENT									
town costs to date	70,000	70,000	70,000	70,000	70,000				
Land survey		10,000	10,000	10,000	10,000				
legal		1,500	2,000	2,000	2,000				
soil test or consulting forester			1,000	1,000	1,000				
TOTAL costs to implement	70,000	81,500	83,000	81,000	71,000				
REVENUE TO TOWN	BASED ON 275,000 PROPERTY VALUE								
20 YRS PROPERTY TAX	14,000	93,500	74,800	0	0	property retained on Bal sheet at market value			
PROPERTY SALE	70,000	275,000	110,000	35,000	35,000				
EASEMENT SALE			70,000	70,000	70,000				
TOTAL 20 yr revenue	84,000	368,500	184,800	105,000	35,000				
NET 20 YR INCOME TOWN ANNUAL INCOME FOR 20 YRS	14,000	287,000	101,800	24,000	(36,000)				
	700	14,350	5,090	1,200	(1,800)				
NOTE		-not include future building values or tax revenues	-possible easement sale - not include future building values or tax revenues	Property sale = timber value	Property sale = timber value	Could go with any option			
Memo:									
If Sell small lots in all options	105,000	310,000	145,000	35,000	35,000				

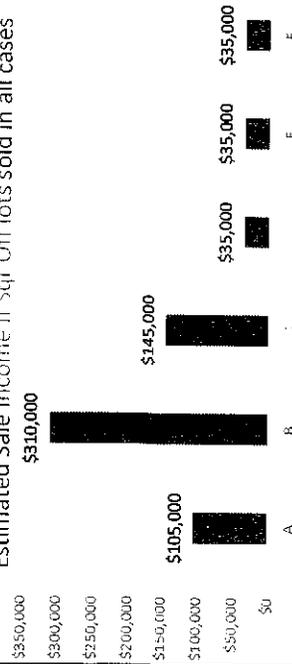
Estimated Sale Income as of Aug 1



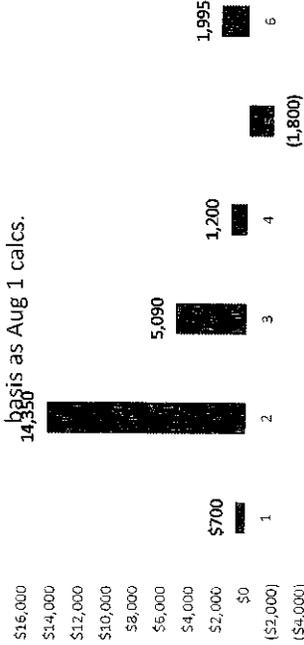
Estimated Ann. Prop Tax income w/o buildings



Estimated Sale Income if 541 CRT lots sold in all cases



Estimated net Income averaged over 20 yr Same basis as Aug 1 calcs.



Options for Wilco

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Contents

- **What is the Issue?**
- **What Did Select Board Ask Us to Do?**
- **What did we Do?**
- **What Options did we Consider?**
- **What Happens Next?**

Description of the Land

- See maps in the room, and handout material
- 118 Acres; 1000 ft of lakefront
- Mature forest with some cutting
- Steep terrain with some good views
- Important habitat values
- Near other large conservation areas
- Significant all season recreation potential

Conservation Values of the Land

- Frontage on Wilson Pond
- Large tract adjacent to existing conservation lands
- Undeveloped between high growth areas and waterfront
- Recreation opportunities

Points of Interest

Geologic formations

Small streams

Beaver activity

Large Trees, pine,
hemlock, oak

Potential Outdoor Activities

Walking, birding, x-c skiing

Hunting

Picnic tables

Water access point

Handicapped access trail
(along contour line)

10 minutes from Village

What is the Issue?

- The Town Owns the Land
- What is the best option for the Land for the longterm interest of the Town?
- Because this is a complex question, Select Board empaneled a Committee to review.

What were we asked to Do?

Directive was:

- Research/Develop conceptual plans (options
- Estimate costs & benefits of the Options
- Seek Public input
- Report back to Select Board (Aug 30)
- Forward looking: Town owns, what to do?

What did we Do?

- Reviewed history of the acquisition and past information provided the Select Board
- Determined an amount for the Town's Costs = \$70K (see poster and handout)
- Reviewed maps, data, and developed options
- Boiled Options to five (see below)
 - After brainstorming many more
- Developed criteria for comparisons

What we did (2)

Obtained information on the market value of the land.

- These are midpoints of wide ranges

- Obtained several Estimates:

- Tax Assessment. (Ca 2005) \$ 399 K
- Les Priest: \$ 175-200 K
- Eben Thomas \$ 275 K
- Committee averaged to \$275 K
- “Square off”
 - small lots \$ 35K

What Options were Considered?

(not ranked)

- Sell to KLT for Town's Costs
- Sell outright – no conservation
- Town retains, sells 2 lots (<20 A. Total)
- Town retains, easement to KLT
- Town Forest
 - Suboption: sell “square off” lots
- *Mixes of these ideas possible*

Now we are at the public input stage

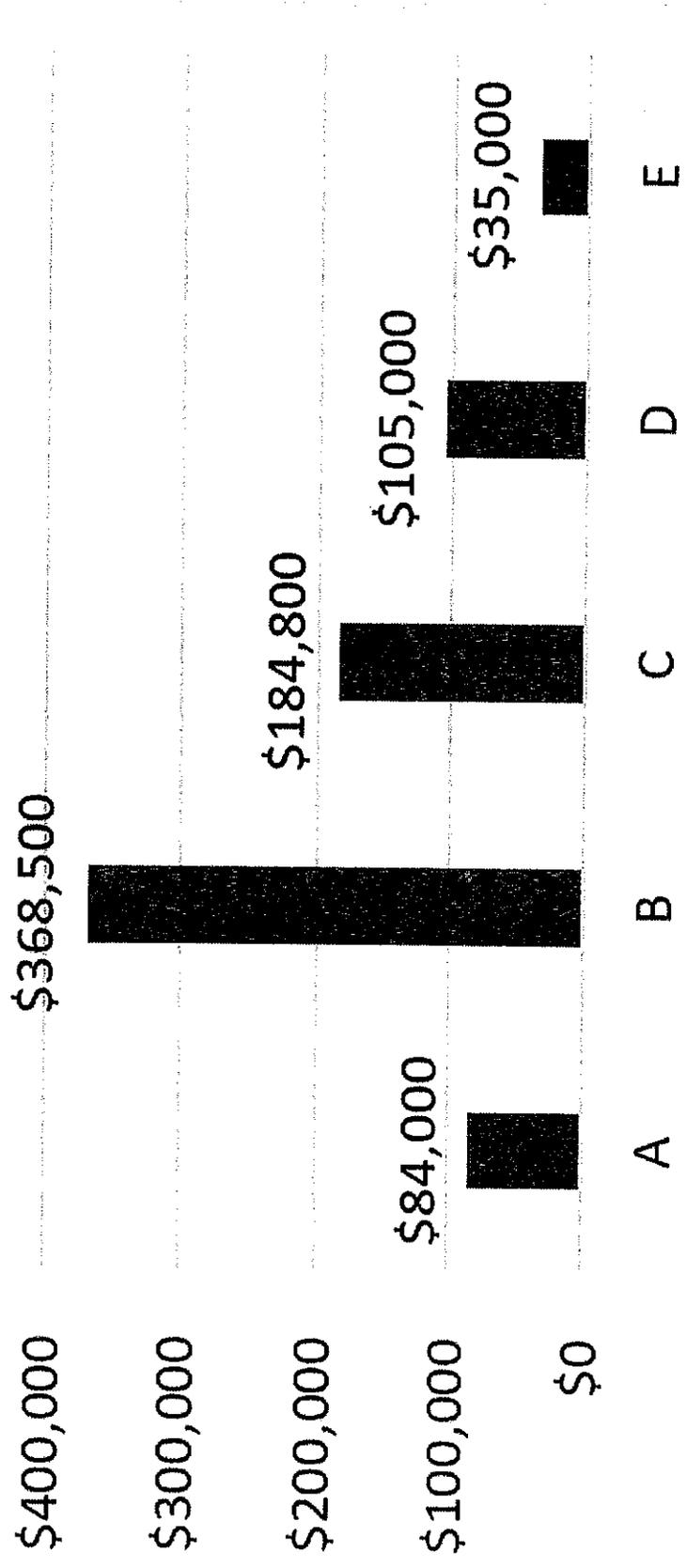
- Are there other options?
- Other criteria that are important?
- Other information we should consider?

Criterion	a. Sell to KLT	b. Sell Outright	c. Sell 2 lots; easement on 80% (+/-)	d. Town keeps, sell easement	e. Town keeps and Manages
Recovers the 70 K	Yes	Yes	Yes	Yes	No (7)
Align w. Comp Plan	Yes	Minimally(5)	Yes	Yes	Yes
Recreation access and management	Yes	Not guaranteed	Yes	Yes	Yes; maximum Town control
Upfront cash yield	Moderate	Highest Possible	Moderate	None beyond 70K	None (7)
Annual Revenue to Town	Low	Could be the highest	Moderate	Low	Low
Lowest upfront cash cost To Town	Yes (4)	Low; recovered by sale.	Low	Possibly highest	Low
Predictability(1)	High	Modest	Moderate	High	High
Secure conservation longterm (2)	Yes	Not guaranteed	Yes	Yes	Yes (6)
Duration of benefit	High	Moderate, some tax rev in future	high	high	Uncertain

Note: consult separate document Tentative Options Comparison Table for footnotes and also well as the Options descriptions. The descriptions in this table chart are not precise comparisons.

ESTIMATED 20 YR NET TOTAL REVENUE TO

TOWN



See Options Sheet

What Happens Next?

- Committee analyzes work to date plus tonight's input,
- Develops recommendations & completes report to Select Board (Aug 30)
- Select Board Drafts Town meeting Warrant by Sep 4
- Public Hearing in October
- Warrant on Ballot Nov 6 Election

Thanks for Coming

- Please follow developments on Town Website:
 - www.waynemaine.org
- Please let us know further thoughts in writing after you've absorbed all this material.

Letters of Support for Conserving Wilson Pond Lot

- Stefan Pakulski, Wayne resident – letter from May 2015
- Keel Kemper, IF & W
- Prof Malcom Hunter, UMO
- Bill Monagle, Cobbossee Watershed District
- Jeff Wells, Bird community
- Jim Breazeale
- Betsy Connor Bowen
- Fred Hurley
- Ken and Nancy Martin
- Jeremy Smith
- Sue Spalding
- Holly Stevenson

Background Documents

- Petitions from ALIC, PLA, and Berry Dexter Wilson Pond Assns.
- Summary of Open Space Lands in Wayne
- Mt Pisgah Visitor data
- Polling on Recreation Access, Maine SCORP
- Leafy Assets, Maine Townsman article
- Fountains, Becoming a neighbor to public lands
- Maine Land Trust Network, Land trusts work for Maine.
- Land for Maine's Future Board. Evaluating the economic benefits of land conservation in Maine (excerpt)

To: Wayne Select Board

Aug. 17th 2018

From: LCI

Subject: Thoughts on Town Vote on Wilson Pond Lot

1. You know that I do not expect to be there Tuesday evening as Connie and I are travelling to North Carolina to meet our brand-new 6th grandson. I understand that I cannot vote in absentia but wanted you to have my thoughts on a few points.
2. I do not believe that ranked choice voting or an approach of "pick one out of five options" will yield a sound result. In any reasonable period of time it will be impossible to fully educate people about a topic which consumes so much paper to explain even in outline, to wit:
 - a. The Options Description memo is 4 pages of single spaced type and still does not answer all questions.
 - b. The financial spreadsheet and options comparisons tables are complex and take several pages of footnotes to explain. I think OpSpComm members will acknowledge that few entries in either of these documents are free from debate or material uncertainties. Valid questions were heard in the public meeting.
 - c. The Conservation Commission's memo on the conservation values (Aug 9) is 8 pages single spaced and does not cover everything it could. A related memo on posting and the need for public access fills 5 pages.
 - d. Ken Spalding's excerpts of relevant provisions of the Comp Plan that relate to this Lot fills 7 single-spaced pages.
 - e. To suppose that a group of voters could absorb all of this material, receive answers to the many remaining questions, and then compare the 5 options feeling fully informed strikes me as fanciful.
 - f. More importantly, all of the details of implementation do not need to be decided at once. I believe the first thing is to clearly define the goal, and then subject the details of implementation to discussion and a later town vote. I think if we move in this manner, people will have a clear idea of what they are voting for or against.
 - g. If a better method of sowing confusion, doubt, and uncertainty could be devised I can't think of it at the moment. This may be why a majority of the OpSpComm did not support ranked choice or multiple choice after discussion.
 - h. All the same, maximum effort should be devoted to creating every opportunity for discussion and debate about the details of the 5 options. No question about that.
 - i. In sum, I think a single clean, clear warrant question will yield the best result.
3. Soon, we ought to collate the questions raised by the public, as well as our own, into a draft Q & A sheet that will try to answer as many as we can, and honestly indicate those which are uncertain. I'm ready to help.
4. A number of important points could not be addressed at the public meeting, and remain to be explained, hopefully without waiting to Oct 16.

- a. Is there enough time? If we write a warrant stating a broad goal, and then vote on it Nov 6, and then place the implementation details before the voters, after suitable debate, at June 2019 Town Meeting, there is ample time. Should the Select Board conclude following the Oct 16 hearing that it is best, it can toss the warrant into the memory hole.
 - b. Do people need the space to live? Wayne has numerous unsold subdivision lots, other grandfathered ones, and many opportunities to convert seasonal homes to year round use. With thousands of acres of potentially developable land, the Wilson Pond lot is hardly the last place to accommodate new homes.
 - c. I'd like to see the Town revisit the issue of affordable housing and work very hard to get something done.
 - d. Does Wayne need more tax revenue? Yes. We all want that. Is this Lot the only place to get more revenue? No. It is likely that a single lot with a home in the Olena Estates Subdivision would yield similar tax revenue to what this entire 118 acres was yielding – back in the day when the former owner paid taxes. (I would be happy to see a brisk pace of sales and development at that location)
 - e. A review of the questions from the meeting will surface other points.
5. Here is my sense of a sensible end point for this effort. Some points are premature for the present state of things, and may not even be feasible. But I mention them because I would not want a Warrant article to exclude them purely by accident without out even thinking about these points.
- a. Donate the strip between the road and the lake to KLT. Right away, just get it done. The Agreement would specify that this would be a reserve, subject to properly designed trails and a suitable area for a few picnic tables and put-in take-out of canoes, kayaks, or similar craft.
 - b. Select Board to have authority, in their judgment, to sell or trade:
 - i. The “square off lots” already identified. This is less for income than to be a good neighbor to our abutters.
 - ii. Any patch on the western or southerly line that might be traded to the abutter there, without damage to larger conservation purposes, in order to obtain ownership of the summit of Hill 664. Ownership or use rights there might be obtained by other means, but this would ensure public access to the leading scenic viewpoint of the immediate area. (whether this is feasible or of any interest to the abutters there I do not know; I just would not want this unwittingly foreclosed by warrant language)
 - iii. If needed, place an acreage limit on the total that might be affected by the above.
 - c. Balance of property in permanent management for conservation, open space and recreation. I am indifferent to whose name is on the title. Or whether the method includes an easement or not. If the Town prefers not to own it, at a suitable time it could be transferred to KLT, under arrangements approved by vote of the Town then.

- d. If the Select Board does not wish to undertake day to day management, a contract with the Ladd Center or KLT or other suitable group would work. (millions of acres of land in Maine are managed under contracts with management firms). This might be simpler and more flexible than an easement anyway.
 - e. A Management Plan committee, with suitable public involvement, would develop and oversee implementation of a management plan.
 - f. I'm not sure how to provide for this, other than by verbal assurances, but provide for 2 years for private fundraising to garner funds to make up any shortfall between net revenues from the square off lots and the \$70 K amount that the OpSpComm wants to recover for the Town. In addition, funds for initial improvements.
6. A draft warrant article to Take Step 1 on the path to the above endpoint.
- a. I would not want all the above detail on the Nov 6 warrant. Here is a first draft that I think would work:
 - b. Does the Town wish to ensure that the Wilson Pond Lot remain in permanent use for conservation, recreation, and open space? Provided, that the Select Board, in their discretion, may make sales or trades of small tracts along the boundary line, if in their judgment such transactions will best serve the above three objectives, as well as subobjectives concerning revenue generation, or good relationships with abutters. (insert limitation on acreage that can be affected under this provision, or the net change in acreage in event of a trade)
 - c. Proved further, that the Select Board is authorized to gift to the KLT the land between the road and the lake (insert acreage)
 - d. -----
 - e. Explanatory language for the warrant, to be printed with it.
 - i. This Warrant establishes an overall goal for town ownership, with discretion to make small boundary adjustments if desirable.
 - ii. Should the Town adopt this proposal, the Select Board will develop initial plans for management and the longterm future of the tract's ownership.
 - iii. Further meetings and hearings will be held, preparatory to a vote on the implementation plans by the Town at the June 2019 Town meeting.
 - iv. Should this article not be adopted, the Town plans to initiate development of trails and parking facilities. This will not foreclose other options in the future.
7. I admit that I do not have the patience of Job. I feel this land has lain fallow for too long already, missing opportunities for the public to benefit in so many ways.
8. An old saying: "Sorry this letter is so long – I didn't have time to write a short one".

May 18, 2015

To the Wayne Select Board:

The value of a Town Forest: Readfield's Experience

Thank you for the opportunity to address the Board through this public hearing on a ballot question. I would like to request that my letter be entered into the record for the hearing. As the former Town Manager in Readfield, I would like to share my thoughts about the value of a Town Forest there, and why I would urge the Select Board and voters here to consider the current opportunity to create a Wayne Town Forest.

Readfield has managed about 100 acres of Town Forest for many years. The parcel originally was part of the old Town Farm, designated in the 1800's as the location for destitute residents to live and support themselves. In the past 100 years, the farm went out of existence and most of the land reverted to mixed forest. Eventually the Town voted to retain this parcel for historic and conservation purposes, and appointed the Conservation Commission as steward. The Commission developed a management plan that included periodic logging, preserving wildlife habitat, and making the forest available for a variety of recreational purposes such as hiking and running on trails, bird watching, hunting, cross-country skiing, biking and snowmobiling. Later, a professional forester refined the management plan. This included identifying, scheduling, and managing three 20-acre sections for logging - one section to be harvested every seven years. The Town uses all funds received from these timber sales to support the management costs of all conservation properties in Readfield. In the past ten years, there have been two harvests and the most recent one netted the Town about \$19,000 in timber sales revenue.

Readfield's Town Forest is a great wildlife habitat and abuts another large KLT conservation property, the MacDonald Woods, making a total of over 200 contiguous conservation acres. A goshawk has nested in the forest for many years. Deer and turkey are plentiful, and the area is open for hunting. The Town's Trail Committee maintains a network of trails through the forest which is well-used by residents and many out-of-town visitors. The terrain includes varying grades, a stream and boggy areas with good trail bridges. The Conservation Commission also has worked to preserve historical evidence of the original Town Farm, and to remove invasive plant species from the property. The Town Forest trails are featured on the Maine Trail Finder website (www.mainetrailfinder.com), along with the rest of Readfield's public recreation trails. Access to the Town Forest is by a public road and an easement on private property with a gated entrance to prevent unauthorized vehicles from entering. Some parking is available at the trailhead and gated entrance. A small portion of Readfield's Town Forest is in the Town of Wayne, and Readfield annually pays a bit over a \$100 in property taxes to Wayne. The majority of the forest is tax-exempt as a Town-owned property.

In addition to providing direct on-site conservation and recreational opportunities, through timber sales the Town Forest supports all of Readfield's conservation efforts and has contributed significantly to recreational trail development throughout the town. This network of conservation properties and trails has become a much-loved and valuable asset, frequently noted as one of the reasons people come to Readfield to live and visit. The Trails Committee continues to expand and improve the trails network, creating more recreational opportunities for more people, and recognizing the economic development impact of this as well. Readfield's trails are now a destination for many people who also visit local

stores, restaurants, cafes, and shops; and who may seek to develop their own homes and vacation properties in this desirable community.

Wayne probably could create a similarly valuable Town Forest. Although the proposed property in Wayne differs in some respects from Readfield's forest, a Wayne forest could serve many of the same purposes. Creating access to the forest over a network of trails through beautifully varying terrain with great habitat would add to Wayne's attraction for residents, visitors, and people who want to move to or stay in the community. The forest would be an important asset for conservation, environmental education, local quality of life and economic development. It appears that creating a Town Forest also would be consistent with Wayne's recently updated Comprehensive Plan.

There are important questions about costs for the proposed Wayne Town Forest. Although the Town already has acquired the property through a foreclosed tax lien, the Town would have to pay to settle the title, and the property would no longer provide any property tax—creating an effective annual tax. There also would be initial development costs and on-going maintenance costs to a Town Forest. A Wayne Town Forest at this site would not have the same level of self-funding as Readfield's forest through timber sales, although perhaps a fifth of the proposed Wayne parcel could be managed for timber. The value of having a Town Forest has to be compared realistically to what it will cost taxpayers to develop and manage the site from now on. Members of the Conservation Commission have started to define the costs in more detail.

Readfield's example and the experiences of many other Maine towns show that there are plenty of long-term benefits (economic, environmental, educational, and quality of life) to having a Town Forest that more than balance the costs. The chance to designate such a significant property as a Town Forest in Wayne might not occur again soon, if ever. It really is an historic opportunity to create a conservation legacy for many future Wayne generations.

I therefore urge the Select Board and Town voters to consider settling the title on the tax-acquired property and retaining the property as a Town Forest for wildlife and habitat conservation, limited timber production, and varied recreational uses.

Thank you,



Stefan Pakulski
139 Morrison Height Road
Wayne, ME. 04284



Kemper, Keel

1:26 PM (6
minutes ago)

December 2d

to Ryan, me

As the Regional Wildlife Biologist for Central Maine, I have no problem with a simple statement such as "if the town were to establish a town forest it would provide wildlife habitat benefits." I have not conducted a site visit but looking at the map there are notable features worthy of comment. The property does border a body of water and as such that provides "riparian wildlife habitat", which we consider to be quite valuable wildlife habitats. The steep south facing slopes on the property will likely be used by wintering deer. Deer love a south facing aspect in winter. The proximity of the property to the existing mapped Deer Wintering Area will provide additional acreage of habitat for deer as well the entire suite of wildlife that may be found in central Maine.

Best of Luck with your efforts.

G. Keel Kemper
Regional Wildlife Biologist
Dept of IF&W.

August 9, 2018

To: Members of the Wayne Conservation Commission
Re: Notes on Broad Ecological Values of the Wilson Pond Lot

I am writing to add my "two cents" to discussions about the Wilson Pond Lot. Although I have not visited the property I have reviewed descriptive material and maps and can comment on general issues that would apply to land like this in central Maine. I do this based on a nearly 50- year career addressing ecology and conservation issues in Maine, including writing many books and articles on these issues in a global context. Obviously, land use decisions like those regarding this property will compel the Town of Wayne to weigh a number of considerations. I will focus on what I know best -- wildlife and ecological matters.

Size

Being adjacent to an undeveloped tract that is already reserved in trust, this tract offers a special opportunity to create a sizable area of undeveloped open land, which is increasingly uncommon in central Maine. As ownerships fragment further in the future, opportunities like this will only become scarcer. Many bird and mammal species require large tracts of habitat to meet their needs for cover, breeding sites, and food sources.

Shorelines and High Ground to Water Continuity

Another key principle of land conservation is that it is particularly valuable to protect shorelines because in these areas a wide variety of species find habitat. Upland species come to the shores for food and water, aquatic species come for food and cover, and some species are particularly tied to these interfaces. This site is unusual in that it connects all the way from the shore up to a fairly significant ridge, thus providing substantial connectivity for species that move widely. Even small species like frogs move across the landscape to a degree that is often underappreciated, and it is important to have places where they can make these movements without encountering development along the way.

Brooks and wetlands

This property holds some minor brooks with seasonal tributaries and these are flanked by wet, marshy areas. Small aquatic features like these are far more important ecologically than you would ever guess from their footprint on the landscape and retaining this land as open space is the best way to protect them from roads or driveways that, almost inevitably, lead to erosion and sedimentation issues. In this case the consequences of sedimentation would be experienced on both the specific site and potentially throughout Wilson Pond.

Good luck with your deliberations and please let me know if you have questions I might address.

Sincerely yours



Malcolm L. Hunter, Jr.
Libra Professor of Conservation Biology

Aug 10, 2018

To the Wayne Conservation Commission:

I'm writing to express my heartfelt support for creating a handicapped accessible trail that would lead from the House Road into the Wilson Pond Lot. There is no place I know of locally, or even within a larger radius of Wayne, that could make it possible for non-walkers to go into a forest. Also, especially if the forest were well-managed, it might attract visitors from some distance and thereby introduce a new source of revenue for Wayne's businesses.

My husband and I are fortunate to live where we do. Our house is in the middle of a wood, and trees rise up from the back deck. The forests and the lakes here, I believe, helped me heal from a traumatic and disabling spinal cord injury years ago. I've since read much about the health benefits of being in nature, both mental and physical. They range from helping people with respiration disorders, depression and cognitive deficits to heart problems, PTSD, and just general stress.

Needless to say, I passionately support the Town retaining this property, which, with careful management, could become, for generations, a place of peace, quiet, and inspiration. Also, if possible, a place of learning about nature. I would love to see the Town make it a gift, not only to the people of Wayne, but also to many others, able-bodied and disabled alike, who might not have any other woodland access.

Respectfully,

Betsy Connor Bowen
31 Roseanne Drive
Winthrop ME 04364

August 16, 2018

To: Town of Wayne
Wayne Open Space Committee
Conservation Commission
Town Select Board
Subject: Wilson Pond Lot

My name is Fred Hurley. I have been a resident of Wayne for nearly fifty years and have traversed much of the town's forest and wetlands, and became very familiar with the lay of the land, its fish and wildlife, and the habitat upon which they depend. I am a certified wildlife biologist and retired from the Maine Department of Inland Fisheries and Wildlife after 33 years of service.

I was made aware of the Conservation Commission's interim draft report to the Wayne Open Space Committee regarding the Natural Values of the Wilson Pond Lot on August 14 at the public meeting to consider options for town owned property on the House Road and Wilson Pond. Unfortunately, the Commission's findings were not presented to the public along with the Committee's presentation of options, and I have since had the opportunity to review the report. There is little I can add and strongly agree with the assessment of the areas physical characteristics, natural values, recreational potentials, and associated vulnerabilities. The below findings, some of which may be overshadowed by the public input at the meeting, deserve your strong consideration in these deliberations.

The land is currently owned by the Town,

The land is over 100 acres, and contains over 1000 ft. of Wilson Pond shoreline,

The land is only one of 13 remaining parcels over 100 acres in Wayne,

The town has adopted a goal of the retention of 15% of developable land as open space.

Future opportunities to protect a large track of land such as this is highly unlikely,

Many of the large tracks of private land in Wayne are not available for public use,

This land is surrounded by large tracks of privately owned open space,

Large unbroken blocks of open space are very important wildlife habitat,

The shore front has high value as wildlife habitat, and the uplands support a wide variety of wildlife species,

Much of the area is very steep and rocky,

The land has a variety of recreational opportunities currently lacking in Wayne,

This is a unique opportunity to protect a major property which meets many criteria in the Comp Plan,

There is no single track of property of similar size in Wayne that combines the environmental, potential habitat, and potential for recreational activities as this one does.

In my estimation, this all boils down to the fact that this town owned land has an unusual array of natural and potential recreation values, many of which, simply do not exist in Wayne. It currently provides a significant contribution to the towns open space goal, and is an important part of a much larger corridor of privately owned lands that together provide a major contribution to Wayne open spaces and associated natural values.

Large unbroken blocks of forest and wetland habitats protect water quality, and are vital, and in many cases, essential to many species of wildlife and provide both habitat, and important wildlife travel corridors. Wildlife simply does not fair well in isolated blocks of fragmented habitat, and Wilson Pond is not fairing well because of the development that has occurred in its shore land. At the same time, this land has many potential recreational opportunities not currently available on other large tracks of privately owned land in Wayne (most of which are posted against trespass).

To sell or otherwise fragment this land will jeopardize the linkage it provides to these other lands, its significant natural values, including its diverse wildlife habitats, and its recreational potentials. To relinquish any or all of it for short term financial gain, en lieu of its importance as open space, will be something the future citizens of Wayne will quickly come to regret.

Fred Hurley
Resident of the Town of Wayne

Ken And Nancy Martin

August 17, 2018

Dear Aaron,

We have been physical education teachers and coaches for over 35 years and are interested to see additional opportunities for healthful outdoor activities in Wayne.

We are aware that the town now owns an incredibly beautiful, large parcel of land on House Road in Wayne and is in process to determine what to do with this property. We believe that exploring various ways to combine uses for this property will benefit the town which includes preservation for public use. We imagine various recreation activities could be created;

- Hiking, trail biking, paddling and picnics would encourage families to play and spend time together.
- Public access for skiing / snow-shoeing motivates people to be outdoors in the winter.
- Disc golf has become popular and draws young adults to be outside. Our schools and physical education programs could enjoy access to a small course.
- Trailside exercise clusters would multiply the trails' health benefits to users, enabling hikers, bikers and joggers to build strength and flexibility while they work on their cardio.
- Wheel chair access would expand the usage not only wheelchair users and others with mobility-limiting disabilities, but the elderly, families with young children and anyone out for an easy hike, perhaps with a less able-bodied loved one.

Wayne Town Manager

From: Jeremy Smith <sgraffito@gmail.com>
Sent: Wednesday, August 15, 2018 11:17 AM
To: Stan Davis; Aaron
Subject: Info on House Rd Committee Design
Attachments: IMG_6400.JPG; IMG_6401.JPG

Hi esteemed members of the Open Space Committee and Wayne Select Board members,

I attended the Open Space public hearing last night and wanted to say thanks for setting that up and really grateful to have the opportunity for the public to weigh in on the issue of deciding the future of that property that the town currently owns.

At the time, I listened to the ideas presented both as well-chosen options from the committee and commentary from the public.

I heard things like: "its a sensitive area that needs to be preserved" and "if it is to be a community area, then we need to make sure that the access works for people of all ages." I agree with both of these sentiments and would like to express my sentiments to the committee.

For me, I mostly needed time to process all the ideas from the committee and spent a lot of time studying the map at last night's meeting. I was reminded of how delicate the shoreline is on that side of Wilson Pond ("reminded" mostly because during the past 5 years I have lived in Wayne, I have made so many visits to Gott Pasture with my family). I really am not sure of what waterfront access should look like, should the area become public access. A simple canoe launch would be my preference rather than an elaborate trail system along the pond. I think, in the option to designate an area as "suitable for public use" many folks may wonder "should there be water access?" And, as a recreational area, Wayne has many water areas that folks can access. I am okay without creating another one.

I have seen loons down there on Wilson Pond, while at Gott Trails or kayaking around and realize that they are nesting in the coves to the north and in some of the islands nearby. I think light use of the shoreline by fishermen and boaters makes sense, but I'm not sold on having waterfront access to citizens, should that land become a "Town Forest."

Yet, I'm not an "all or nothing" type of person. Therefore, just because the land might not possess a long list of different types of attributes that would "sell" the idea to the public on why we should preserve it (i.e. preserve it and have trails and picnic tables, etc to do so) to me, it doesn't mean that we should sell off 100% of the land in the Open Space Committee's Option B. I did hear that last night while listening to a few comments from citizens and I wondered where I stood, in terms of allowing a plan like a 100% land sale to occur.

At about 4' deep, that warm water is teeming with life and, like Gott Pasture, could be a really useful learning experience for local children. I have 2 stepsons who attend WES and they have enjoyed being toured down the Gott Pasture Trails and seeing the vernal pools. I have heard fox yips while walking those trails and have seen coyote signs and so I understand why no dogs are allowed in Gott. I would see the same eventuality for trails in the House Rd land, should that area become Town Forest and/or land managed by the KLT, with exception to the shoreline area. I think there should be very limited access, if this land becomes an area local people and visitors can access.

I heard concerns about the budget and the need to be able to pay our bills, especially since I have heard about a coming bond issue to improve district schools and so I am worried about that. If a large bond were to pass in our 4 towns, that would have a large economic impact on real estate taxes and of course that tax increase might make living in Wayne nearly impossible for those on fixed incomes, unless, of course, we serviced the debt over numerous years (as we have done with HS improvements and MS construction costs in the past). I'm relatively confident that the \$6 million wouldn't be something that would likely be paid for in one year, although I did hear that mentioned last night as was concerned.

Back to the issue at hand, I would like to see the shoreline area in the House Rd lot protected and a swath of land to serve as a wildlife corridor remain in KLT protection for a long time. So, I'm trying to deal with that issue as separate from the general economic needs of Wayne at this time. Protecting the environment is where I stand on this matter and want to be sure that what is created is beneficial for the way the area is now being cared for. As you are likely aware, the idea of a "Town Forest" and how that is designed could take on many forms. For me, I prefer KLT to be transferred the land and have them work on designing trails for hiking and mountain-biking.

Yet, I struggle with what to do with the forested area, since that upper area seems to be the best area for trails. The middle part, to me seems tricky, due to steepness and accessibility. I'm in favor of an option that mostly resembles option C and adds in the KLT as owner of the remaining land.. My sense tells me that Les Priest, after careful consideration and discussion with the abutters, has deduced an appropriate price in his CMA of somewhere between \$100-200,000 due to rocky areas which makes both logging, home building and well exploration difficult.

I am currently against the idea of having the town of Wayne take on the maintenance of the road at this time.

Attached to my email is a map showing what I think makes the most sense, at this time. I think Wayne could benefit from well-established and maintained mountain bike trails that the public can use. My drawing also recognizes and included the locations of establishing needed and gradual hiking trails (possibly a small paved area for people with disabilities, perhaps). I know that having KLT work on the design of this type of project would clearly be using their strengths as conservationists geared toward appropriate management of land.

So, Option C.. I like this option and wonder what the deeded waterfront access would look like. I'm assuming that the access would need to be somewhere in the currently undisturbed shoreline and that isn't exactly to my liking, but I can live with it, I think. This would be for canoe access, not a boat launch, is what common sense tells me. I would like that sort of language in the agreement, when and if it is drawn up.

What do I need from you?

I would really like to walk the land on a coming date in the near future. I want to see what the area looks like and where the areas I labeled in pink are, so as to gain knowledge that there are no fragile wetlands present under where homes could be erected and septic systems installed. I think this area would be best for having two 15 acre house lots.

Thanks very much for your time.

All my best,

Jeremy Smith

P.S. There are 2 photos because I think it makes sense to see the area as 2 separate uses before the trails are labeled.

--

Jeremy Smith
320 Walton
Wayne, ME 04284
(207)712-1501





Wayne Town Manager

From: Sue or Ken Spalding <spaldings4@msn.com>
Sent: Thursday, August 16, 2018 12:14 PM
To: Don Welsh; Aaron Chrostowsky
Subject: Town committee make up

To: Don Welsh, Chair of Select Board and Aaron Chrostowsky, Town Manager

Dear Don and Aaron,

At a gathering of women in town this morning, there was discussion that I think warrants your attention.

At the Open Space meeting the other day, the gender make-up of the committee was sadly obvious in its lack of female membership. Although I know Margaret Lane is on the committee, and was unable to attend that meeting, one female on a board of 8 members is totally unacceptable.

I do not know if the town has any policy on board and committee membership, but I would like to propose a policy that states that *"committees and boards appointed by the Select Board will be represented, by as close to an equal number of males and females as possible. If a committee is overwhelmingly dominated by one gender, there should be evidence that equal numbers of women and men were invited to serve."* I think all committees should also be as *"diverse as possible in terms of age and ethnicity"* (I know this one is tough in Wayne, but should probably be in any policy we have.) With an Open Space Committee of overwhelmingly white, older men along with a similar moderator, it was not the most welcoming environment for women. Then the first woman who spoke was told that if it was a town meeting she would be unable to speak, although the agenda clearly invited residents and tax-payers to speak about the issue.

Personally, I support the idea of conserving the property in question, however, I was surprised that the Moderator would lead off pointing out that the Comprehensive Plan calls for more open space. I thought Moderators were supposed to be totally neutral. It seems that any resident of Wayne would not be able to be a totally neutral Moderator. Unfortunately we are in times of more polarization and less trust in all levels of government. With that in mind, I would also like to propose that for future town meetings we get a Moderator from another town. Perhaps we could trade Moderators with other towns - for example, Doug goes to Readfield, and someone from Readfield comes to Wayne.

Please let me know if there is anything further I need to do to have these ideas considered by the Select Board.

Thank you for your consideration.

Sue Spalding

Wayne Town Manager

From: Ford Stevenson <FordStevenson@roadrunner.com>
Sent: Wednesday, August 15, 2018 12:22 PM
To: Chris Cushman; mclaughlin.steve.a@roadrunner.com; lloyd irland; Sue or Ken Spalding; Margaret Lane; Bruce Mercier; Trent Emery; Ford Stevenson; Town Manager
Subject: Fwd: TU meeting comments

FYI

----- Forwarded Message -----

Subject: TU meeting comments

Date: Wed, 15 Aug 2018 13:36:09 +0000

From: Holly Stevenson <hollystv@hotmail.com>

To: Holly Stevenson <hollystv@hotmail.com>

CC: Don Welsh <dtwelsh277@gmail.com>, FORD STEVENSON <fordstevenson@roadrunner.com>,
Lloyd Irland <lcirland@gmail.com>

Hello Ford, Lloyd, Don. Please share with Committee. I did not write an index card last night but here are my comments.

Please take more time.

Please do not put all options on ballot, inviting those who have no background education to vote blindly. We elect our officials to represent us, allowing them to do in depth studies.

Selling to KLT is probably my first choice.

I also think selling 2 lots and town or land trust keeping the rest is a good compromise action but I would be hesitant to vote for this if I don't know where the lots are located. Feel water access for lots is unnecessary and perhaps harmful to Wilson Pond health even though I know it makes lots more valuable.

Appreciate all your complicated and challenging work on this. Holly Stevenson

Holly Stevenson
Sent from my iPhone

July 28 2018

23

We are taxpaying property owners who are members of the Barry-Dexter-Wilson Pond Association. We regularly enjoy the views around this area and boating on Wilson Pond. We urge the Town of Wayne to provide for permanent conservation of the so-called Wilson Pond Lot, to the Northwest of the Pond. This will protect water quality and provide many benefits to residents and visitors.

Name (print)	Name (Signature)	Home Addr (city,state)
Linda E Ladd	Linda E. Ladd	Wayne
Gloria Williams Ladd	Aloise Williams Ladd	Wayne ME
Mary Griswold	Mary Griswold	North Monmouth
Glenn Griswold	Glenn Griswold	North Monmouth ME
Stephen Kolende	Steph Kolende	North Monmouth
Jan Kolonde	Jan Kolonde	North Monmouth
Dan Kaplan	Dan Kaplan	North Monmouth, ME
Mel Mounts	Mel Mounts	North Monmouth ME
EDOUARD PLOURDE	Edouard Plourde	LEWISTON, ME
Cheryl Fore	Cheryl Fore	Wentworth ME
Robert Glover	Robert Glover	Wentworth ME
Jody Pierce Glover	Jody Pierce Glover	Wentworth ME
Peter Bahman	Peter Bahman	North Monmouth
Patricia Lawson	Patricia Lawson	Wayne ME
Lou-Anne Parker	Lou-Anne Parker	Wentworth ME
MARY T. CLARK	Mary T. Clark	Wayne, ME
Dondie Isaacson	Dondie Isaacson	N. Monmouth, ME

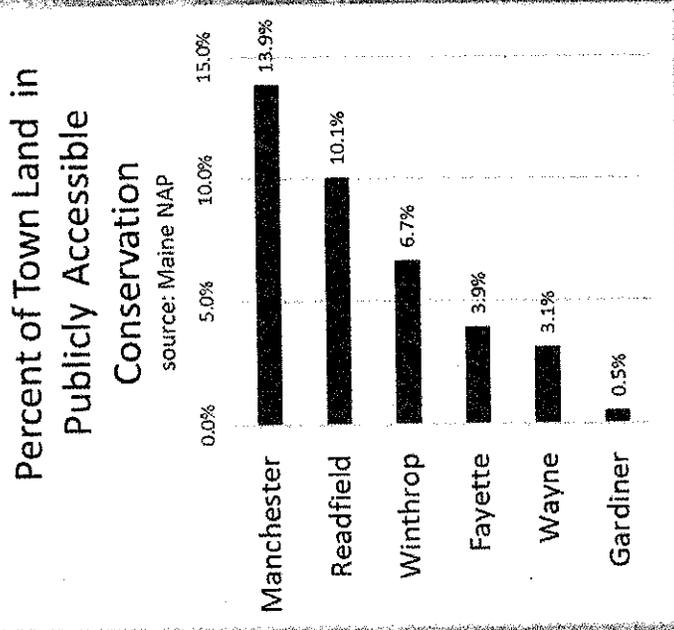
Date: Aug 16, 2018

We are taxpaying property owners and others who are members of the Pocasset Lake Association. We regularly enjoy the views around this area, especially the view across Wilson Pond to the lot in question. We urge the Town of Wayne to provide for permanent conservation of the so-called Wilson Pond Lot. This will protect water quality and provide many benefits to residents and visitors.

24

Name (print)	Name (Signature)	Home Addr (city, state)
Deb Woorms	<i>Deb Woorms</i>	24 Windercker Way, Wayne, Me
Nick Woorms	<i>Nick Woorms</i>	24 Windercker Way, Wayne, Me
Patti Windercker	<i>Patti Windercker</i>	37 Windercker Way
Richard Windercker	<i>Richard C. Windercker</i>	37 Windercker Way
David Randall	<i>David C. Randall</i>	29 Jameson Ln, Wayne Me.
Ellen Randall	<i>Ellen Randall</i>	29 Jameson Lane, Wayne ME
Deb Duplisea	<i>Deb Duplisea</i>	22 Winona Way
Fred Duplisea	<i>Fred Duplisea</i>	22 Winona Way, Wayne
Joe Baker	<i>Joe Baker</i>	1018 Pleasant St. Farmington
Barbara Bourcault	<i>Barbara Bourcault</i>	51 Waterville St Portland ME 04101
Paula Tardber Lane	<i>Paula Tardber Lane</i>	27 Lan Per Lane - Wayne
Christine Cushman	<i>Christine Cushman</i>	22 House Rd. Wayne
Carl Lead	<i>Carl Lead</i>	56 Main St Wayne
Katherine Codere	<i>Katherine Codere</i>	45 Sable Lane Wayne ME 04284
Helsie Dragenette	<i>Helsie Dragenette</i>	553 Main St Wayne ME 04284
Susan Spalding	<i>Susan Spalding</i>	143 Lord Rd Wayne 04284
George Dragenette	<i>George Dragenette</i>	553 Main St Wayne
JAMES KELLEY	<i>James Kelley</i>	473 MAIN ST WAYNE

Summary Open Space Lands in Wayne	Acres
Open to public for recreation	606
Private	350
Total	956
memo: TGT, Farm & Open Space	1,461
Total Land in Wayne	12,301
Total Undeveloped	8,004



If Wayne chooses conservation, these benefits will endure for generations and continue to increase. If Wayne chooses the money, the cash will last for 12 months.

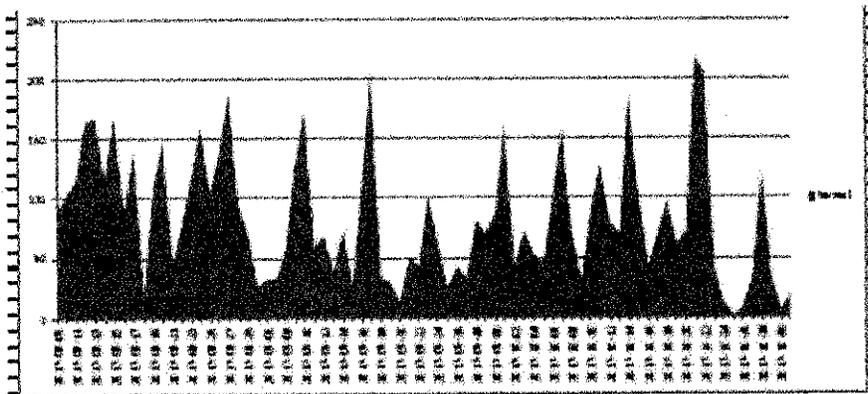
KLT Mt Pisgah Visitor Data

Tower Trail

From KLT Aug 10, 2018

Aug 8 2017 to Nov 2 2017.

2018 data not yet available



Scarcely legible vertical scale shows that during this period visits often exceeded 100 per day. It is likely that the overflow when parking is full will come to Wilson Pond Lot if people are well informed about its trails. One person at the Input meeting stated that it is often crowded.

Polling on Recreation Access

SCoRP Appdx – 2015

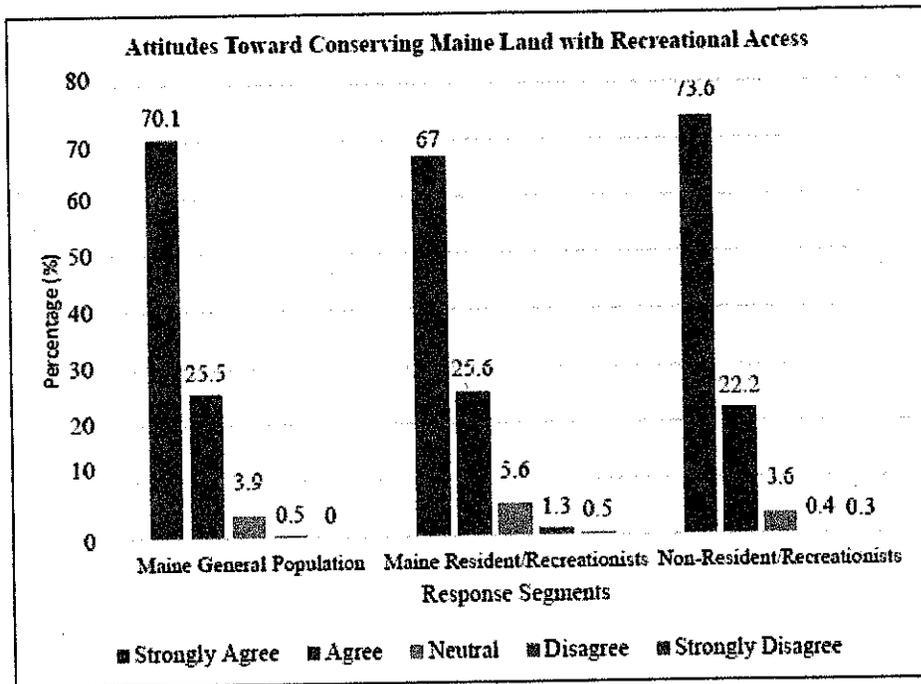


Figure 19. The Relative Attitudes of each of the Survey Segments Regarding the Conservation of Maine Land with Recreational Access.

Leafy assets: Municipal forests offer recreation and revenue

The best part of having public forests may be the sense of community that they provide. One expert said: 'It's a connection we can no longer take for granted.'

By Douglas Rooks

How common are town forests in Maine? Almost every town in Maine has some public, undeveloped and forested land. But according to a 2007 survey by the Maine Forest Service, there are 170 municipalities with a recognized town or city forest, comprising more than 150,000 acres statewide.

Since then, the numbers have surely grown, as more communities discover the value of public land for conservation of natural resources and wildlife habitat, as well as recreation and income from timber harvesting.

A number of towns and cities are actively promoting their public forests as an important amenity for residents and visitors. In Bangor, hotel guests and other visitors, along with city residents, frequently walk the Orono Bog, which is accessed through Bangor's city forest. Falmouth's ambitious public lands program is a hit with many residents, who are able to find solitude in parts of the town forests just a few miles from downtown Portland.

There are more traditional uses for town forests, as well. In Winterville Plantation, which has just 224 residents, harvesting in the municipal forest provides a substantial annual income that helps keep property taxes down – an increasing problem in sparsely populated communities at the edge of the Unorganized Territory.

In Shapleigh, which once had only a modest acreage devoted to forests, town holdings have been substantially expanded by devoting the income from timber harvesting entirely to purchasing more forest land. The town's active, well-planned timber



Bangor Parks & Recreation Superintendent Tracy Willette, at his city's forest entrance. (Photo by Jeff Pouland)

management effort has also attracted a number of donations by landowners pleased with the town's approach.

In the beginning

Town forests trace their origins to the creation of Maine, in the form of public lots. Each township, at the state's inception, had land reserved for schools, churches and other public purposes – land that was in many cases forgotten about until it was “rediscovered” in the 1970s. The state acquired land in the unorganized territories as a result, but the “public lots” have been also important to the subsequent creation of new towns, such as Carabassett Valley, which had a 900-acre town forest as soon as it was organized in 1973. The town now has over 2,000 forested acres in public ownership as a result of a purchase of additional “school lots” from the state when it annexed Crockerville Township.

Other forests in settled communities began as town farms, where indigent residents worked and lived, and which later returned to woods when the farms were disbanded. Bethel's town forest was created after a series of powerful microbursts destroyed the existing water treatment system, and the former reservoir and watershed became surplus after the town switched to well water.

Public land conservation got a major boost during the 1980s, when sprawling development threatened to overwhelm many of the places, particularly along the coast, where people had becoming used to walking, hiking, hunting and boating over the years. Conservation commissions were formed, often with the responsibility of overseeing town forests. Those commissions have since often subdivided, with many communities having separate trails, land acquisition and forest

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Start here, if your town wants to create or improve a community forest

If your town or city is interested in creating or improving a community forest, there are a variety of resources to draw from.

In Maine, the Land for Maine's Future program, while it does not specifically target forest land, is available for state and municipal conservation projects that meet criteria for public access and recreation, and can provide matching funds from other sources.

A smaller, but reliable source of funding is Project Canopy, administered by the Maine Forest Service. It annually distributes about \$100,000 in up to 20 small grants. While half of the funding traditionally goes to tree-planting, the rest can be used to create a forest management plan for town-owned land. According to the program's administrator, Jan Santerre, Old Orchard Beach, Wilton, Dixmont, Bath and Winterville Plantation have received grants in recent years.

Portland has a new grant, as well – to plan a timber harvest in the city's Evergreen Cemetery, one of the region's most popular spring sites for viewing migrating birds. While harvesting in the state's most populous city might seem surprising to some, it appears the plan will be successful and cutting will take place this year, after numerous community meetings.

One of the most fruitful forms of assistance may well be a partnership with a local or regional land trust. Maine has nearly 100 land trusts, small and large, most of which were created since the 1980s. According to Theresa Kerchner at the Kennebec Land Trust, partnerships with municipalities make natural alliances because the land trust is looking for stable, long-term ownership that provides guaranteed public access and an orientation toward a broad range of public uses. The contiguous land trust/town properties in Readfield are not unusual. Work-

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A directional sign from the City of Bangor. (Photo by Jeff Poulard)

ing together can take different forms, including volunteer and staff support. Where easements, rather than outright ownership, is involved, land trusts can provide the legally required monitoring for the town.

Land trusts also often have professional fundraising efforts and expertise on how to create management plans, build trails, and monitor public use. A statewide listing is available on the Maine Land Trust Network website.

Some examples of recent community forest projects involving land

trusts include the Perley Mills Community Forest in Denmark and the Androscoggin Greenway Community Forest in Canton and Jay, both completed in 2014. Denmark worked with the Loon Echo Land Trust, while Canton and Jay partnered with the Androscoggin Land Trust. Both projects got grants from the Open Space Institute, which has an office in Yarmouth.

To get an idea of existing trails on town- and city-owned land, the Maine Trail Finder website has a comprehensive list – literally hundreds of trails throughout Maine. ■

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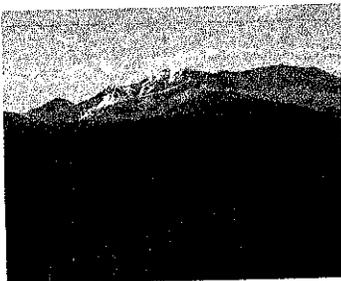
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BECOMING A NEIGHBOR TO PUBLIC LANDS

February 13, 2018

Tags: [Adirondacks](#), [Conservation Easements](#), [Conserved Land](#), [Forest](#), [Hunting](#), [Lakes](#), [Maine](#), [Northeast](#), [Ponds](#), [Recreation](#), [Vermont](#), [Public Lands](#), [National Forests](#), [State Forests](#)



One of the main reasons people buy forestland in the Northeast is to be able to enjoy the outdoors with their friends and family, to have a place to periodically get away from the hustle and bustle of city life, and to have a stable financial asset to pass down to their family. Many buyers are also interested in fresh air, exercise, connecting with nature and themselves, and pursuing passions like hunting, fishing and snowmobiling.

Recreational buyers and forestland investors often express interest in finding properties that are near to or that abut public lands. Fortunately, there are millions of acres of publicly held land throughout the northeast US including the Adirondack Park, the Green and White Mountain National

Forests and Baxter State Park. These are the signature public ownerships of northern New England and New York, many of which are complimented by a host of wildlife management areas and conservation easement lands. While a small portion of protected land does not allow for public recreational access, the vast majority does.

Three key benefits to purchasing forestland in proximity to or directly abutting public lands are:

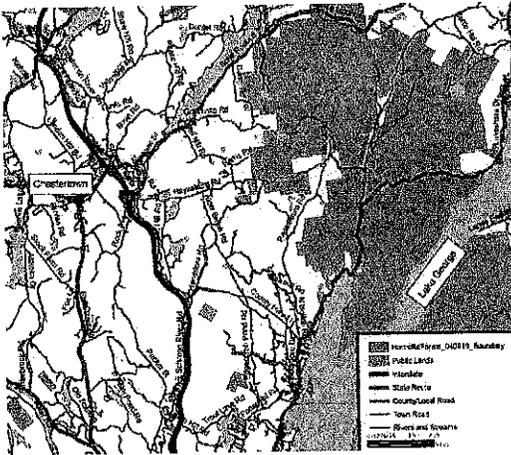
1. Expansion of recreational opportunities - hiking, snowmobiling, photography, fishing, canoeing, backcountry skiing, etc.
2. Protection from development adjacent to your property since the neighboring public lands are typically undeveloped, thus offering an open space buffer for your forest.
3. Opportunities for a potential conservation easement sale or tax credit donation if the public land agency has an interest in and funding to expand its footprint.



Here's a brief rundown of some of the most popular public lands throughout the Northeast:

Adirondack Park – Established in the 1880s, the Adirondack Park one of the oldest parks in the and includes consists of 6 million acres of public and privately held land within the designated Adirondack “Blue Line” in northern New York. There are over 3,000 lakes, ponds, rivers and streams, 46 peaks exceeding 4,000’, and 3 million acres of public lands.

Green Mountain and White Mountain National Forests – Administered by the US Forest Service and Department of Agriculture, National Forests are managed for multiple uses including recreation, forestry, water quality and habitat. The two big ones in the Northeast are the 399,000-acre Green Mountain National Forest in Vermont and the expansive 750,000-acre White Mountain National Forest in New Hampshire.



Additional online resources include:

New York

[State Lands Interactive Mapper](#)

Vermont

[Vermont Agency of Natural Resources Lands Map](#)

[Vermont Wildlife Management Areas Locator](#)

New Hampshire

[New Hampshire Fish and Game Maps](#)

[White Mountain National Forest Maps](#)

Maine

[Maine Conservation Lands Map](#)

[Maine Bureau of Parks and Lands Information](#)



Todd Waldron - *The author is a professional forester and timberland broker with Fountains Land who has served timberland owners and buyers in the northeast since 1996.*

Land Trusts Work for Maine



MILTN

MAINE LAND TRUST NETWORK

October 2017

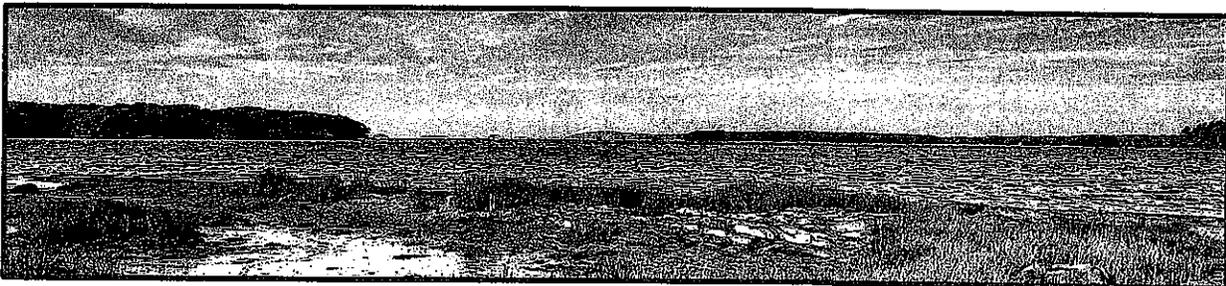
As part of the Biennial budget enacted in July of 2017, Maine's State Legislature directed its Joint Standing Committee on Agriculture, Conservation and Forestry (ACF) to conduct a study of land trust conserved lands.



The need for this land trust study arose during the debate surrounding a series of bills over the past few years, which revealed a lack of information regarding land trust conserved lands in Maine. Specifically, the study asked for the following:

- A. The property tax payments nonprofit conservation organizations make on those conserved lands including property tax payments, payments in lieu of taxes and other similar payments;
- B. The economic impact of those conserved lands on other real property, including working farms and commercial forest land, and the access to those conserved lands for licensed Maine guides, commercial fishermen and marine shellfish and worm harvesters;
- C. The economic impact of those conserved lands on the public and Maine's tourism economy, including opportunities to hunt, fish, hike, snowmobile, canoe and engage in other outdoor recreational activities. The committee shall determine the miles of trails and the number of water access sites and similar recreational infrastructure;
- D. The community benefits of those conserved lands owned by nonprofit conservation organizations, including education programs, downtown revitalization efforts, community gardens, youth sports activities and similar initiatives; and
- E. Examine any other issues that the committee determines are related to the purpose of the study.

To help the ACF Committee complete its tasks and paint a full picture of the beneficial role land trusts play in communities across Maine, the Maine Land Trust Network surveyed the state's land trusts in the summer and fall of 2017. This report is a summary of that survey. However, it is just a snapshot of the work being done by land trusts across the state. For more information on Maine's land trust community, visit www.mltn.org.



Photos (this page): a chestnut-sided warbler sings at the Downeast Coastal Conservancy's Pike Lands Preserve in Lubec (top); A beautiful summer day at the Harpswell Heritage Land Trust's Skolfield Shores Preserve (bottom).

Cover photos (clockwise from top left): Mother and daughter enjoy Boothbay Region Land Trust's Penny Lake Preserve; farmer bales hay at Brunswick-Topsham Land Trust's Crystal Spring Farm; snowmobilers explore Rangeley Lakes Heritage Trust's Rangeley River Preserve; angler fishes for trout in Western Foothills Land Trust's Crooked River Forest; and canoers marvel at fall foliage along the shores of West Grand Lake in the Downeast Lakes Community Forest.

Providing Public Access to the Outdoors

Maine's network of more than 75 land trusts has significantly increased public access to the outdoors for activities including hiking, hunting, fishing, snowmobiling, ATV riding, birdwatching, boating, and sightseeing. Based on a survey¹ completed in 2017, Maine's land trust conserved lands offer the following outdoor recreational amenities:

Recreational Trails

- Hiking/Walking 1,260 miles
- Mountain Biking 275 miles
- Snowmobiling 570 miles
- ATV Riding 345 miles



Downeast Lakes Community Forest

Recreational Water Access

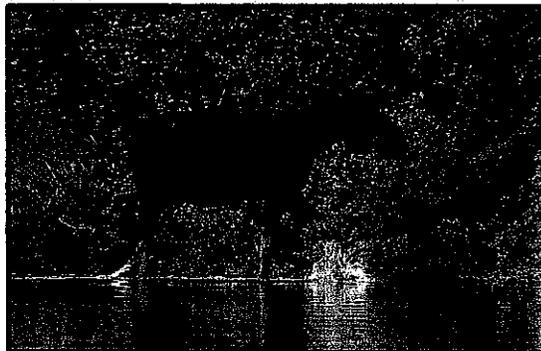
- Boat Launch Sites 203
 - Coastal 62
 - Freshwater 141
- Beaches/Swimming Areas 210



Rangeley Lake's Heritage Trust's Cupsuptic Lake Campground

Land Open for Hunting

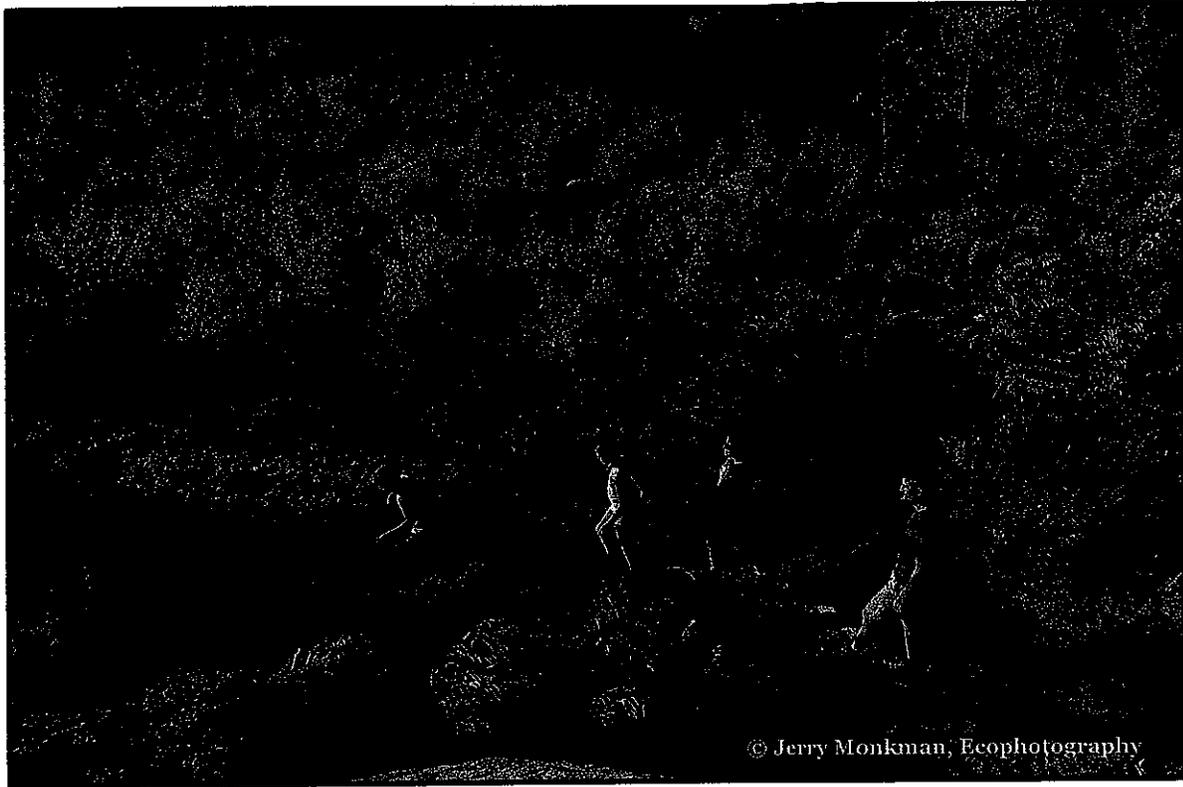
- More than 2.34 million acres
- More than 90% of all acres conserved by land trusts



¹ In July 2017, Maine Coast Heritage Trust (MCHT) surveyed members of the Maine Land Trust Network, which includes most of the State's land trust community. 70 organizations participated. Data from a 2015 MCHT land trust census was used to fill in gaps for those organizations that did not complete the survey.

Enhancing Public Lands

Recreational amenities provided by land trust conserved lands are part of a larger network of conservation lands in Maine, which includes State Parks, Public Reserve Lands, State Wildlife Management Areas, Baxter State Park, White Mountain National Forest, Acadia National Park, Appalachian Trail National Park, Katahdin Woods and Waters National Monument, national wildlife refuges, and municipal parks.



Mount Agamenticus is the centerpiece of a 13,500-acre recreational area where land trust preserves, municipal parks, IF&W wildlife management areas, and private conserved lands seamlessly connect to the benefit of resident flora, fauna, and outdoor enthusiasts. The region boasts 40 miles of trails used by an estimated 30,000 visitors each year for snowmobiling, biking, ATV riding, and hiking. These lands are overseen by a Steering Committee with representatives from the Towns of York and South Berwick, York Water District, Maine Department of Inland Fisheries and Wildlife, Great Works Regional Land Trust, and York Land Trust.

Excerpt from Maine State Comprehensive Outdoor Recreation Plan (SCORP): 2014-2019

“Maine residents and visitors alike use a variety of public and private lands to meet their recreation needs. **Land trusts**, state parks and public reserved lands, municipal lands, federal lands, and private lands with public recreational access all serve substantial percentages of the public based on reported visitation.” (emphasis added)

To put the recreational offerings on land trust conserved lands into context, compare them with the Maine Bureau of Parks and Lands Public Reserve system, which manages a little more than 600,000 acres in the state. Maine’s Public Reserve system offers fewer than 15% as many miles of hiking trails (175 miles vs. 1,260 miles) and far fewer boat launch sites (35 sites vs. 203 sites). In addition, land trust lands collectively see a lot more public use, because compared to Maine’s Public Reserves, most land trust preserves are located closer to population centers and the state’s most popular tourist destinations.

Benefiting Maine's Tourism Economy

With so many recreational amenities to offer, it is not surprising that land trusts throughout Maine are busy partnering in different ways with innkeepers, guides, outfitters, local chambers of commerce, and others focused on making Maine a more desirable place for visitors to explore. Here are some examples from around the state:

Southern Maine

- *Great Works Regional Land Trust* works with approximately 40 area businesses to promote the land trust's recreational opportunities and to make their trail guide available to customers.
- *Brunswick-Topsham Land Trust (BTLT)* is supported annually by more than 80 local businesses, including water sport companies, restaurants, book stores, hotels and inns. Each year, BTLT works with many of these business members to co-sponsor community programs and events.



Kennebunkport Conservation Trust (KCT) partners with local kayak, bike shop, boat trip, and yoga businesses whose clients visit KCT's properties including the Edwin L. Smith Preserve.

Midcoast Maine

- *Damariscotta River Association (DRA)* partners with 70 local businesses, including local hotels and B&Bs that offer DRA land trust trail maps to their guests.
- *Coastal Mountains Land Trust* developed a 'Take a Hike Brochure' and 'Conserved Land Direction Pad' that is distributed monthly to area inns and the local chambers of commerce.

Case Study: Boothbay Region Land Trust

16 Preserves:	1,169 acres
Hiking Trails:	32 miles
ATV/Biking Trails:	3 miles
Boat Launch:	1 site
Beaches:	2 sites

Analysis completed in 2013 estimated that there are more than 67,000 visitors to Boothbay Region Land Trust preserves each year. Their preserve guide is the most requested brochure at the Boothbay Harbor Region Chamber of Commerce.



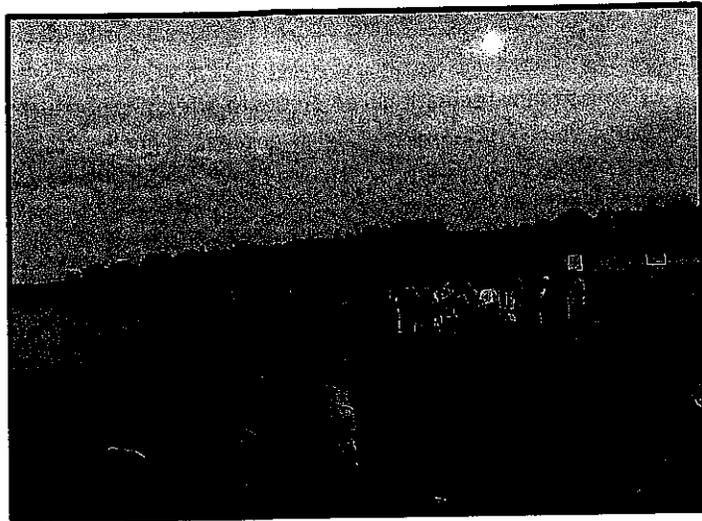
Young tourists enjoy panoramic views from Coastal Mountains Land Trust's Bald Mountain Preserve in Camden.



Birdwatchers frequent Boothbay Region Land Trust's Lobster Cove Meadow Preserve each spring.

Downeast Maine

- *Downeast Lakes Land Trust (DLLT)* partners with 40 Grand Lake Stream guides who bring clients to their Downeast Lakes Community Forest. DLLT also invites a dozen area lodges and inns to direct their guests to fish, hunt, hike, boat, and enjoy other forms of outdoor recreation there.
- *Maine Coast Heritage Trust* and *Downeast Coastal Conservancy* have worked with state and federal agencies, as well as 19 local businesses to publish *Cobscook Trails*, a trail guide distributed to residents and visitors of the Cobscook Bay/Bold Coast region.



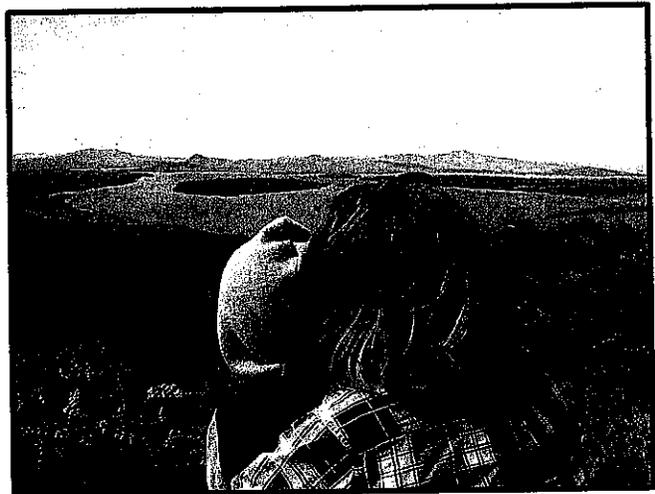
Frenchman Bay Conservancy's "Monday Music" series at their Tidal Falls Preserve in Hancock draws visitors and residents throughout the summer.

Northern Maine

- *The Nature Conservancy (TNC)* provides 93 bear bait sites and each year welcomes more than 250 paddlers to their remote St. John lands. TNC also annually hosts nearly 5,000 snowmobilers on three trails that wind through their Debsconeag Lakes Wilderness Area.
- A 2016 study conducted by economist David Vail, found that lodge guests, visitors, and activities within the *Appalachian Mountain Club's* 75,000-acre Maine Woods property generated \$2.18 million in spending in Piscataquis County in 2015.

Western Maine

- Sebago Lakes Region Chamber of Commerce and Greater Bridgton Lakes Regional Chamber of Commerce strongly promote *Loon Echo Land Trust* lands in marketing materials. Featured destinations include Pleasant Mountain, Hacker's Hill, and the Raymond Community Forest.
- Four local canoe/kayak/tube rental businesses and six drift boat fishing guides use *Mahoosuc Land Trust's* four boat launch sites on the Androscoggin River throughout the summer.



Rangeley Lakes Heritage Trust's Height of Land Preserve is one of Maine's most photographed tourist locations.

Supporting Natural Resource Jobs

Maine land trusts are also focused on the conservation of the state's working landscapes. In fact, land trusts have completed projects in all sixteen counties that benefit important Maine-based industries such as forest products, fishing, and agriculture. These conservation efforts bolster local economies and support jobs, especially in rural parts of Maine.

- In 1999, the *Brunswick-Topsham Land Trust (BTLT)* established a Farmers' Market to advance their mission of supporting local agriculture. Located on Crystal Spring Farm, a 320-acre farm owned by BTLT, the market is now one of the largest in Maine. With forty vendors, many of whom have been with the market since its inception, the market offers a wide variety of local, fresh products including vegetables, dairy, meat, fish, baked goods and artisanal and prepared foods.
- *Downeast Lakes Land Trust's* 55,578-acre Downeast Lakes Community Forest supports approximately 170 forest products industry jobs in Maine. In certifying the Downeast Lakes Community Forest in 2015, the Forest Stewardship Council, an independent third-party auditor of forest practices, noted, "Numerous products are harvested from the forest and agreements are in place with the community to allow hunting, use of gravel from naturally occurring pits, pine boughs for local crafts, firewood, and wood used by local artisans for specialty products. All forest use is aimed and providing benefits to the community."
- Located in a community where roughly 30% of its residents rely on the fishing industry in some fashion, *Harpwell Heritage Land Trust (HHLT)* works in many ways to protect and conserve the marine resources upon which local shellfish harvesters depend for their living. While four HHLT preserves provide commercial access to valuable flats, other trust-conserved properties include areas local diggers frequent by boat.

Land Trust Conserved Working Lands

- More than 85% of the acres land trusts have conserved (2.14 million acres) are working forestlands
- 36,000 acres of working farmlands
- 7 working waterfront properties
- More than 60 access sites for clambers, wormers, and other marine fishermen



Partnering with farm families, community organizations, and municipalities, Maine Farmland Trust (MFT) in collaboration with local land trusts has conserved more than 26,000 acres of farmland in Maine to protect future food production.



The Nature Conservancy's St. John Lands, the largest land trust property in Maine, includes 160,000 acres of working forestland.

Strengthening Local Communities

Apart from welcoming visitors to public preserves, Maine land trusts serve communities in many other ways. Here are just a few examples from around the state:

Partnering with Local Schools

- *Phippsburg Land Trust* partnered with its local elementary school to develop an outdoor classroom and an integrated arbor education. Every third-grade student in the school adopts an outdoor classroom tree and then researches the tree throughout the year to learn about plant reproduction, animals that rely upon it, how decomposers work, and more.
- *Kennebec Land Trust* hosts the Curtis Homestead Forestry Education program each year, where 150 students from Buckfield, Monmouth, and Leeds learn about sustainable forestry, wildlife, and local history.
- *Kennebunkport Conservation Trust's* "Trust in Our Children" initiative includes field trips for elementary school grades, engaging projects for middle school students, and an evolving partnership with the high school's alternative education program to provide hands-on learning opportunities to reach students struggling in the traditional classroom setting.
- *Western Foothills Land Trust's (WFLT)* partners with SAD 17 in Oxford Hills in many different ways, including an afterschool Nordic ski program, an outdoor classroom, and experiential learning opportunities. Each year, WFLT hosts up to 40 middle school students for a summer school program at their Robert's Farm Preserve in Norway. Last year, the program enjoyed 95% attendance rates and more than 30% of the kids saw their reading levels improve.



More than 30,000 students participate in land trust-sponsored education programs in Maine each year, like these young hikers exploring Freeport Conservation Trust's Quarry Woods Preserve.

Maintaining Municipal Parks and State Lands

- *Royal River Conservation Trust (RRCT)* has supported trail and boat ramp construction on municipal parks in Durham, New Gloucester, Yarmouth, and North Yarmouth. RRCT also works with the Maine Bureau of Parks and Lands to benefit Bradbury Mountain State Park in Pownal.
- In addition to taking care of 13 miles of trails on their own properties, the *Orono Land Trust* looks after more than 10 miles on town-owned lands.
- *Damariscotta River Association* maintains trails on municipal properties in Edgecomb and South Bristol, co-manages Maine BPL's Dodge Point Public Reserve and Whaleback Shell Midden Historic Site, and partners with the MDIFW on the maintenance of the Sherman Marsh Wildlife Management Area.



The Bureau of Parks and Land's 500-acre Dodge Point Public Reserve in Newcastle includes 3 beaches, 4 miles of trails and a dock – all maintained with support from the Damariscotta River Association.

Improving Water Quality

- *Kennebec Estuary Land Trust* replaced a fish ladder at the Nequasset Dam in Woolwich and upgraded a culvert at Sewall Pond in Arrowsic. These projects were part of a larger collaborative effort with the Sheepscot River Watershed Council and the Kennebec Valley Soil & Water Conservation District to survey fish passage barriers and wetland restoration.
- *Midcoast Conservancy's* Youth Conservation Corps works with private landowners to implement best management practices to prevent erosion and run-off into the Damariscotta Lake and Sheepscot River watersheds. The Corps provides no cost labor to landowners, protecting the region's water quality critical to downstream commercial fishing and aquaculture businesses.

Hosting Guided Walks

- Each year, *York Land Trust* leads guided walks for seniors and for community members battling diseases such as Alzheimer's, diabetes, and cancer.
- *Scarborough Land Trust* partners with Piper Shores, a retirement community in town, by leading guided walks for their elderly residents.



Annually, there are an estimated 65,000 attendees at land trust events in Maine, activities such as this Bangor Land Trust guided walk.

Feeding the Community

- *Maine Coast Heritage Trust* donated more than 25,000 pounds of produce to Good Shepherd Food Bank and local food pantries in 2016. The produce was grown by Teen Ag Crew, a social entrepreneurial program employing students, 14 to 18 years old, in a full-time summer job where they learn the essentials of business planning, marketing, growing, harvesting, packaging, and delivering fresh produce.

Connecting with Nature

- *Androscoggin Land Trust (ALT)* partners with Tree Street Youth, a program serving young people from socio-economically challenged communities in Lewiston-Auburn. Together they sponsor "Learn to Fish" events, a day on the Androscoggin River where many cast a line for the first time and share in the excitement of landing their first catch.
- *Blue Hill Heritage Trust* collaborates with Cynthia Winings Gallery to sponsor the "Open Air Arts Initiative," an effort to ignite creativity in the young people who live on the Blue Hill Peninsula. Students from Pre-K through 12th Grade visit land trust properties, create something that expresses their inspiration, and display their work at an art show the next year.



Greater Lovell Land Trust hosts a 6-week program for the Lovell Recreational Department called "Nature Day" for up to 50 elementary-school aged children each year.

A Private Sector Answer to Meet Public Needs

Maine has one of the most active land trust communities in the nation, with more land trusts per capita than any other state. Collectively, Maine's 75+ land conservation organizations have conserved a little more than 2.5 million acres of the state.

- 600,000 acres: lands owned by land trusts as preserves and areas available to the public for outdoor recreation.
- 1,900,000 acres: lands privately-owned and on the tax rolls, protected with conservation easements. The terms of these easements vary by property, but generally limit development and require the protection of natural resources. Most of this acreage is managed as working forest, available to the public for hiking, hunting, fishing, and other outdoor activities.

Maine Has Very Little Public Land

One reason why Maine has such an active land trust community is because Maine has the lowest percentage of public lands among states east of the Appalachian Mountains. At 6.5%, it is also one of the lowest percentages in the country, lower than 37 other states.

Most states rely heavily on government, at all levels, to acquire and manage public lands to meet the needs and desires of their citizens to secure public access to the outdoors. In Maine, where government land ownership is low, land trusts have stepped up to meet this demand by acquiring many publicly accessible lands without government support and by partnering with government to purchase and manage new and existing public properties.

For many parts of the country, the burden of public access to the outdoors is mostly the responsibility of government and taxpayers. To the contrary, thanks to land trusts, Maine people now enjoy more places to hunt, hike, fish, snowmobile, ATV, picnic, birdwatch, walk their dogs, and enjoy nature through a system where the burden of costs are shared significantly by the private sector, as well.



Public Land: % of State East Coast States

• Florida	25.2%
• New Jersey	18.7%
• New Hampshire	17.1%
• New York	16.7%
• Pennsylvania	15.8%
• Vermont	15.3%
• South Carolina	10.2%
• Massachusetts	10.0%
• Virginia	9.4%
• Maryland	9.0%
• North Carolina	9.0%
• Delaware	8.7%
• Connecticut	8.4%
• Rhode Island	7.9%
• Georgia	6.8%
• Maine	6.5%

Based on numbers from "Federal Land Ownership: Overview and Data" a 2017 Congressional Report and information collected from state websites.

In areas of Maine, like Lincoln County, where the amount of public land is far below the state average of 6.5%, land trust properties such as the Midcoast Conservancy's Bass Falls Preserve in Alna provide the public with guaranteed access to a high percentage of the available opportunities that exist for hiking, fishing, birdwatching, hunting, and other outdoor recreational activities.

Most Land Trust Lands Are on Tax Rolls

Public lands in Maine and around the country are exempt from paying property taxes. While land trust conserved lands provide similar benefits to public lands and many land trust properties are eligible for tax exemption, nearly 95% of all land trust conserved lands in Maine remain on the Tax Rolls.

Land Trust Conserved Land¹

- On 94.5% of the acres, the land is on the tax rolls
 - 1.9 million acres with conservation easements
 - 460,000 acres owned by land conservation organizations
- On 4.0% of the acres (100,000 acres), the land trust makes payments in lieu of taxes (PILOTs)
- On 1.5% of the acres, the land is tax exempt and no PILOTs are made
 - Impacts a little more than 30,000 acres of land in municipalities
 - Impacts roughly 0.3% of municipal land in the state
 - More than 70% of municipalities (300+ communities) have no land in this category
- Most land trust conserved land is also subject to state's Forestry Excise Tax, which funds forest fire protection efforts in Maine.



Most land trust conserved acreage in Maine, such as the Appalachian Mountain Club's Maine Woods in Piscataquis County, was enrolled in the state's Tree Growth Tax program prior to being conserved and remains in the program today.

¹ In July 2017, Maine Coast Heritage Trust (MCHT) surveyed members of the Maine Land Trust Network, which includes most of the State's land trust community. 70 land trusts participated. Data from a 2015 MCHT land trust census was used to fill in gaps for those organizations that did not complete the survey. More than 55,000 acres accounted for in the PILOT category is owned by The Nature Conservancy (TNC) and is currently tax exempt. TNC has sponsored legislation for the past four years that would allow them to enroll this land in the Open Space Law (state caps Open Space at 15,000 acres) or make PILOTs to the county (this land is in the unorganized territory). A bill passed in 2017 that will allow them to make PILOTs on this land in 2018, which they intend to do.

Land Trusts Work for Maine

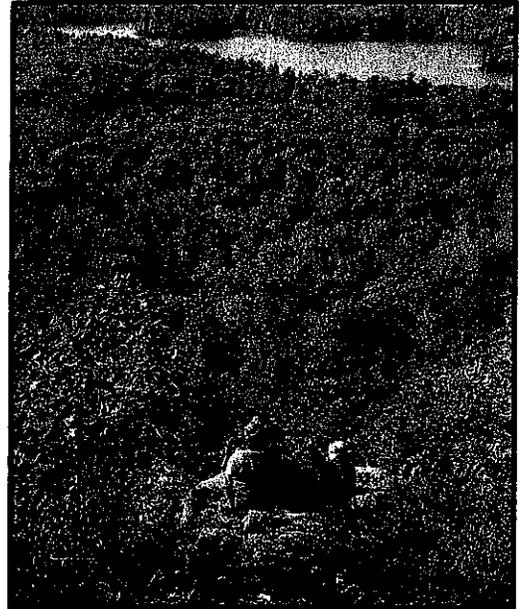
Public Access to the Outdoors



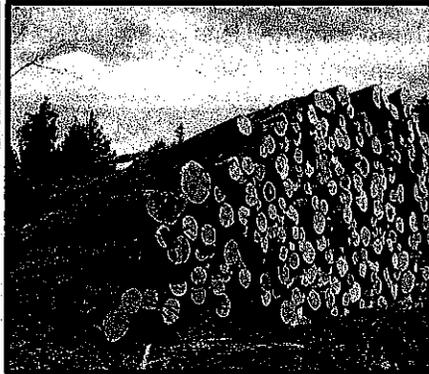
Presumpscot Regional Land Trust's Mill Brook Preserve in Westbrook hosts the largest Casco Bay migratory fish run each spring, luring visitors of all ages (left).

Loon Echo Land Trust's Raymond Community Forest displays fall colors that attract visitors to the Sebago Lake Region each fall (right).

Attracting Tourists



Supporting Rural Economies



From left to right: King Hill Farm in Penobscot, conserved by Blue Hill Heritage Trust, grows produce and raises beef, pork, chicken and hens; lumber harvested on Downeast Lakes Land Trust's Downeast Lakes Community Forest is ready to be processed in local mills; and Robert's Wharf, conserved by Boothbay Region Land Trust, provides deep water access, gear storage, and moorings for ten local fishermen.

Strengthening Communities



From left to right: Fourth graders gather for the day's science class at Royal River Land Trust's Pisgah Hill Preserve in New Gloucester. Friends and neighbors celebrate the winter season and gather Christmas decorations at Great Pond Mountain Conservation Trust's Wildlands Preserve in Orland.

Evaluating the Economic Benefits of Land Conservation in Maine

A white paper prepared for
the board of directors of



Land for Maine's Future

June 2011

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I. Introduction

Land for Maine's Future (LMF) is a voter-approved bond program that provides funding to secure lands with exceptional natural or recreational value in the state of Maine. Established in 1987, LMF matches funds raised by non-profit conservation groups, land trusts, and state and local conservation entities to purchase fee simple ownership or conservation easements for a variety of land types throughout the state. Since its founding, the program has been renewed through five separate bond offerings (the most recent was passed in November, 2010) that have totaled over \$125 million and have gone towards the conservation of over 500,000 acres of land to date with fresh proposals being solicited.

Throughout its existence, LMF has simultaneously pursued the goals of both conservation and community access. Waterfront purchases have been funded to preserve boating access on lakes facing private development while forest purchases have conserved both habitat and recreational access. To LMF, the use of public monies for conservation requires a promise of enhanced public benefit. Purchases matched with LMF funds are kept open for hiking, camping, hunting, fishing, and other recreational uses. The only exceptions to this rule are the projects that LMF funds for the purpose of preserving natural resource industries such as fishing, agriculture, and forestry. As the scarcity of such parcels increased in step with development pressures, LMF has devoted increasing resources to farming, fishing, and forestry projects that require working easements of this nature. In 1999, the legislature placed a requirement on LMF to allocate 10% of its funds to farmland related projects. The bond-issue referendum of 2005 entailed an additional five million dollars to fund a working waterfront pilot project, devoted to preserving waterfront space

The first product to arise from this relationship was a report authored by Yale FES student Jessica Seigal detailing recommendations for increasing the visibility of economic benefits from potential projects in their grant applications, increasing awareness among applicants about the intersection of economic development and conservation, and recognizing projects with economic benefit in LMF scoring criteria.³ This paper advances prior efforts by quantifying some of the economic benefits associated with a discrete set of LMF projects,⁴ presenting other non-market benefits of conservation, and discussing the practices of other state-level funding agencies. While the original analysis of LMF parcels focused on frequently cited benchmarks for economic performance, such as earnings and job creation, there are numerous non-market economic benefits of land conservation that escape such traditional analyses. While the methods for evaluating such benefits are somewhat more theoretical, the economic consensus is that they represent real value. Therefore, future proposals and studies would be well served to attempt to quantify such facets so long as they are transparent in their methodology and forthright with caveats about assessing such benefits.

This study also analyzed the grant making processes of other state-level, public conservation funds for insights on how LMF might assess economic benefits in its application review process. This survey showed that few other states delegate all their conservation funding activities to a single entity. Those states with substantial forest products industries usually kept their funds for conservation of working forest lands separate from their fund for preserving natural habitat or recreational areas. As a

³ Siegal, 2009.

⁴ The projects studied in conjunction with this work included: the Katahdin Forest Easement, Katahdin Ironworks, Port Clyde Fisherman's Co-op, Mt. Blue Region/Tumbledown Mountain, Dead River Trail, Branch Lake, Kelly Farm, and Scarborough Beach.

Town of Wayne Open Space Committee
Public Hearing on Concerning Options for Town Property on House Road and Wilson Pond
Tuesday August 14, 2018, 6:30 - 8:30 PM, Ladd Recreation Center
Sign-Up Sheet

#	Name	Address
1	Gary Carr	220 Berry Road
2	Yvonne Melanson-Carr	220 Berry Road
3	Louise Thompson	171 Lord Road
4	Woodrow Thompson	171 Lord Road
5	Tammy Birtwell	136 Besse Road
6	Ken Martin	546 Main Street
7	David Stevenson	306 Pond Road
8	Ford Stevenson	69 Berry Road
9	Doug Stevenson	41 Walton Road
10	Holly Stevenson	41 Walton Road
11	Peter Davis	21 Davis Point Road
12	Patti Windecker	37 Windecker Way
13	Richard Windecker	37 Windecker Way
14	Stacey Cobb	19 Coolidge Road
15	Paula Nersesion	21 Juniper Lane
16	Jane Andrews	87 Fuller Road
17	Peter Ault	157 Morrison Heights Road
18	Cathy Cook	655 Main Street
19	Jim Welch	102 Kings Highway Road
20	Don Welsh	220 Leadbetter Road
21	T. E Cook	359 Tucker Road
22	Jilliane Cook	359 Tucker Road
23	Leslie Burhoe	22 House Road
24	Chris Cushman	22 House Road
25	Bruce Bornstein	41 Mt. Pisgah Road
26	Diana McLaughlin	32 Lovejoy Pond Road
27	Steve McLaughlin	32 Lovejoy Pond Road
28	Howard Pettengill	1 Christmas Tree Lane
29	Carol Ladd	509 Main Street
30	Michael Ladd	509 Main Street
31	Sue Spalding	143 Lord Road
32	Ken Spalding	143 Lord Road
33	Charles Danielson	191 Maxim Road
34	Judy Danielson	180 Maxim Road
35	Tom Wells	10 Cedar Point Road
36	Jeremy Smith	320 Walton Road
37	Dwayne Young	52 Old Winthrop Road
38	Jane Davis	409 N. Wayne Road
39	Betsy Bowen	Winthrop
40	Robert Stephenson	Winthrop

Town of Wayne Open Space Committee
Public Hearing on Concerning Options for Town Property on House Road and Wilson Pond
Tuesday August 14, 2018, 6:30 - 8:30 PM, Ladd Recreation Center
Sign-Up Sheet

41	Kate Ballou	148 Strickland Ferry Road
42	Reed Lee	365 Pond Road
43	Stephanie Haines	577 Main Street
44	Laura Briggs	273 Pond Road
45	Dallas Folk	45 House Road
46	Deborah Emery	58 Old Winthrop Road
47	Peter Emery	58 Old Winthrop Road
48	Kenneth Foss	60 Old Winthrop Road
49	Gloria Foss	60 Old Winthrop Road
50	Fred Hurley	59 Morrison Heights Road
51	Ellen Randall	29 Jameson Lane
52	David Randall	29 Jameson Lane
53	Terry Ridlon	94 Mt. Pisgah Road
54	Ray Kenney	114 Besse Road
55	Mary Farnham	236 N. Wayne Road
56	Theresa Kerchner	191 Besse Road
57	Jim Perkins	191 Besse Road
58	Dana C. Jones	27 Fuller Road
59	Trent Emery	96 Besse Road
60	Alicia Emery	96 Besse Road
61	Jennifer Ross	27 Gott Road
62	Craig Buzzell	232 Tucker Road
63	Edouard Plourde	8 Plourde Point Lane
64	Seth Emery	119 Besse Road
65	Lincoln Ladd	17 Morrison Heights
66	Charles Eichacker	Kennebec Journal
67	Deborah Korol	544 Main Street
68	Bruce Mercier	50 Fairbanks Road
69	Lloyd Irland	174 Lord Road
70	Cathy McCue	360 Hardscrabble Road
71	Lee Goucher	99 Kents Hill Road
72	Aaron Chrostowsky	Winthrop

Town of Wayne Open Space Committee
Public Hearing on Concerning Options for Town Property on House Road and Wilson Pond
Tuesday August 14, 2018, 6:30 - 8:30 PM, Ladd Recreation Center

Public Comments – Cards

Yes to land preservation for community use. Yes to focus on water quality and habitat preservation.
Concern about town owning if can easily sell in future.

I favor selling to the KLT- they have the commitment and resources to foster both good environmental stewardship and the proper development of trails and other amenities for outdoor recreation. My second choice would be to keep as a town forest only if an easement to KLT is part of it. Ranked choice or multiple options seems the only fair and accurate way to go.

I would recommend the option 3 but with more than 2 parcels sold. If the property is too rough of a terrain to make it into a recreation area, then the town is better off getting the tax revenue for schools, road paving and maintenance.

Require covenant restricting KLT from future sale. Conservation should benefit town residents only.

As a business owner in Wayne, I am in favor of creating a future sustainable tax and revenue to assist the town in its com plan. Sell property with restrictions.

I hope we address this issue at the November election. I strongly doubt any better information will be available in the future. Chuck Danielson

I would like to see the property conserved under option A. Option E has the problem of impermanence, as well as placing the town , with no expertise in the position of managing this property. Thank you to the committee for its efforts. Laura Briggs

Theresa Kerchner, Resident:

I think the process/timeline needs to be adjusted. We need at least one more public hearing so the options can be clarified.

Land values and taxes are directly correlated with water quality.

Jane Andrews:

I am in favor of conserving the land- as a town forest. This is a major opportunity – not to be missed!

Meets the open space goal of the master plan! Comprehensive plan!

As a house road resident, I have spent a lot of time up there and there are all kinds of wildlife Bobcats, owls, deer, fishers.....I think an opportunity like this just doesn't come along very often.
Leslie Burhoe

Options "A" please, like Diana said- "It's too good an opportunity to pass up"
Money is not the only thing important here.

KLT is an established reliable steward of open space and having them manage the space would be advantageous if the town maintains ownership of the property. Paula Nersesian (21 Jupiter Lane)

Town of Wayne Open Space Committee
Public Hearing on Concerning Options for Town Property on House Road and Wilson Pond
Tuesday August 14, 2018, 6:30 - 8:30 PM, Ladd Recreation Center

Public Comments – Cards

Promote Wayne as a ..Healthy Community!
Access to nature(for people of all capabilities)
Recreation options
Volunteerism
Purpose
Pride
*There is scientific evidence of benefits.
Paula Nersesian, PHD, MPH,RN
(21 Juniper Lane)

“Square off lots”

Not all clear what that means or what spaces it refers to. Thus, Option C is not clear as described in the materials as provided and therefore cannot be considered. Paula Nersesian 21 Juniper Lane

I Support Option “A” or “E” CONSERVE!

The most important entity to protect is the fragile shoreline. No boating. No Swimming.
Forest must remain to impede erosion. Too steep for development of any kind-EVEN TRAILS!

August 14, 2014

I strongly believe the Town should do whatever it takes to protect this property from development, whether it is through option 1 or option 4. This wonderful opportunity to preserve a parcel of land that would protect wildlife habitat, protect water quality of fragile Wilson Pond and possibly create public access to a “TOWN FOREST”- A first for the Town of Wayne. Conserving, not selling, this land would be a win for everyone. Please continue discussions with the KLT on a path forward to make this work.
Respectfully, Diana McLaughlin

Open Space Committee Input Session 8/15/18

Chuck Danielson-

Fred Hurley-Consider the land is surrounded by undeveloped land and so it is part of an important wildlife area/ corridor.

Jen Ross- Potential for future disposal by KLT if they decide to sell later.

Theresa Kerchner- Difficult to address option #4 tonight.

Richard Windecker-Feels there is no future flexibility with options #1 and #2.

David Stevenson-How many options will OSC give to Selectboard for the warrant?

Jim Perkins-If 2 lots go for sale as in option#3, what are locations?

Paula Nercesion-Value to community for a healthy community-access to nature, good for health, access for all abilities, volunteerism, purpose and sense of pride.

Louise Thompson-Consider values, great schools, beautiful town...open land is very valuable.

Peter Davis- If choose option #1, town may want restriction in deed so that KLT cannot sell in future, to protect value of land.

Ken Foss-Why not lots on waterfront? Why propose lots only at top of property? (OSC stated steepness not good for building.)

Mike Ladd-Waterfront is shallow and fragile area for wildlife. Please do not think about money.

Judy Danielson-Please consider impact on water quality on all options.

Cathy McCue-KLT cannot sell the property if they acquire the land with the purpose of conservation.

Ed Plourde- Stated he has lived near the property for 35 years and is very concerned about protecting the environment and lake health.

Peter Emery-Wants clarification that if land held in conservation that it will never be sold. Asked who incurs cost of right of way now? OSC stated present landowners maintain right of way.

Linda McKee-Wants a town forest to provide open space for all to enjoy and to make our community more attractive and desirable. Praises KLT for being good stewards of properties.

Jen Ross-Mt Pisgah too crowded, prefers conserving the land without KLT...a town forest for the town.

Theresa Kerchner- Confirmed if land acquired by them for purpose of conservation, it would never be sold.

Judy Danielson-Wants protection for water quality.

Peter Davis-Still thinks it is wise for town to have a deed restriction if they sell to KLT. Also suggested to comply with Comprehensive Plan, it may be wise to sell the property to be able to pay for other needs, like sidewalks etc...as in Option #2.

Betsy Bowen-Prefers an option which includes trails for people with disabilities, who need to use motorized scooter, etc. Suggests options for all people to get exercise and be in nature.

Carol Ladd- Asked how much money if KLT purchases property versus selling it?

David Stevenson-Look out for best interest for all tax payers. Agreed with Peter Davis that selling the land would benefit the town if money used to pay for goals on Comprehensive Plan.

Gary Carr-Suggests dividing the property into more lots to make more revenue for the town.

Leslie Burhoe-Wants land preserved for wildlife-like option #1. Worries if town owns it they would have to police it.

Jim Welch-Need the tax base. Feels selling to KLT not in best interest of town financially.

Peter Davis-Would like to have 4 options on warrant.

Ed Plourde-States a buyer may not be good steward of the land, may not be environmentally responsible-wants a legacy of land not short term money gain. States he has a neighbor who disregards rules and regulations on the lake.

Mike Ladd- Agrees with Ed Plourde that sometimes there are landowners who are not responsible. Feels conserving the land the only way to protect and conserve.

Diana McLaughlin-Strongly in favor of option #A or option# E where town owns with KLT easement. Too good an opportunity to pass up, on this beautiful piece of land.

Carol Ladd-In favor of Option #A.

Jim Perkins-Concern if town owns land, it would be expected to maintained.

Reed Lee-Sell property, recoup money and use ordinances to protect the land.

Peter Emery-Wonders if KLT has statistics of how many people visit their lands..feels not many use the Gott property.

Fred Hurley-Reiterated the land is very important to the wildlife and believes that a subdivision would be like a dam across the corridor of land that is undeveloped there.

Jim Welch- Disagrees that it would be hard on wildlife; states after his house was built the deer still around all the time.

Ed Plourde- Stated he has a neighbor who disregards all the rules and othe neighbors, and is afraid if town sells land it could get into hands of similar person.

Chuck Danielson-Keep land in conservation to protect other property owners' property values around the lake.

Dwain Young-Asked how process goes if town sells property...answer is there is an elaborate process. Feels Wilson Pond is very fragile and suggests no deeded access to water.

Peter Davis-Referencing pg 2 of Comprehensive Plan-hopes for option #2, with restrictions.

Peter Emery-Supports Peter Davis' position.

Theresa Kerchner-Feels process is being rushed...town should take more time to make this decision.

Mike Ladd-Cautions any water access especially in the little cove near the proposed property.

Jim Welch-Wants all options on ballot in November. Doesn't want the OSC to decide what goes on the warrant.

OPEN SPACE PUBLIC INPUT MEETING 8/14/18

Opening statement by Ford

Moderator: Doug Stevenson, Process for meeting

Don Welch, Selectboard chair: schedule;

Sept 4: Warrant wording at selectboard mtg

Oct. 16: open forum

Nov 6, election day: warrant vote

Ford gave Power Point presentation.

Open for public input:

Questions on Criteria:

What parts of total parcel are in resource protection?

Jan ????: Can KLT sell land eventually?

Dave Stevenson: Will there be more than one option?

???: Criteria: NO value to the health of Wayne people. Healthy community value.

Jim Perkins: Have areas been determined for potential sale?

Louise Thompson: Open land is valuable to town. Value of the land is for people for the long term.

Peter Davis: Should have deed restriction to not sell if sold to KLT.

Ken ????: Why not sell shorefront lots?

Ford answers: Most of shorefront is steep.

Mike Ladd: Shorefront in lake is shallow and has nesting bird habitat and is easy to disturb if swimming there.

Judy Danielson: Look at entire watershed, not just Wilson Pond.

Ed Plourde: This is an environmentally sensitive area.

Peter Emery: If acquired in conservation, must be permanent. Who is responsible for road?

Arron responds: It is a private road maintained by camp owners.

Questions of Options:

Linda McKee: Wants town forest. Parents were mill workers. Mill owner gave town a town forest. She played there as a child and learned about nature. Land could not just be for current Wayne residents but draw for others to come to town and settle here. KLT has a positive role in the area. KLT has lots of others come to KLT properties. She would rather have it for town only.

Peter Davis: Town should have deed restrictions if town sells to KLT. Option B selling; could use money for elementary school, new fire station. Can benefit town. Some of shorefront is resource protection and cannot be developed anyway. Only certain areas can have access to shore.

Betsy Bowen: Need trails for handicapped people. There could be health benefits for older people. Would rather have it owned by the town.

Carol Ladd??: Will KLT commit to buy?

Ken Spaulding responds: There was a commitment a year ago, but committee has not had discussion lately.

Dave Stevenson: Consider selling to all for other priorities in town. Committee should have more options than one to vote on.

Carr? Should sell to keep schools going which need infrastructure improvements. Need tax money to help elderly. Wants to sell multiple lots with max development.

Leslie Burhoe: Lives on House Rd. Wants conserved for wildlife corridor. Trails at top of property would be good for trails.

Jimmy ????: Should sell and build houses to bring people in. Use money for other needs.

Peter Davis? What about ranked choice voting for all options?

Ed Plourde: Buyer of lot can do damage to land. Should keep land.

Mike Ladd: Agree with Ed. Lives on Pocasset and property owners can do damage to shorefront and there is no enforcement.

Diana McLaughlin: Strongly supports Option A or possibly D. The town should not pass up this opportunity to keep land.

Carol Ladd??: KLT is a known entity.

Jim Perkins: If town owned land town would take control on land.

Reed Lee: Sell the property and take the money. Zoning in Wayne is strong enough to protect resources

Peter Emery: Not sure use of property is worth keeping it.

Fred Hurley: Land is part of a larger wildlife corridor. Look at the big picture.

Jimmy???: Wildlife has no problem with having houses nearby. I have deer all around my house.

?????: Wilson Pond is already in poor quality. This will help water quality.

Dwain Young: Can anyone buy the lot if sold? Developers? If two lots are sold, there should be no deeded access to water.

Peter Davis: Comp Plan 15% open space is important, but other priorities in plan are important too.

Peter Emery: Ranked choice voting for options.

Theresa Kerchner: Should slow process down.

Mike Ladd: ???

Jimmy??? : Should put multiple choices on ballot. Or narrow down to two?

Linda McKee: Readfield has trails and people love them. It makes Readfield a better town and Wayne can do it too.

8/14/18 See at ~~the~~ input ~~meeting~~ ~~Howard~~

Open Space Committee Hearing for the Town of Wayne Wilson Pond Property 8/14/2018

The Select Board formed an Open Space Committee with 5/6 members; members of the Conservation Committee, Select Board, and Townspeople. They held 3 or 4 unpublicized meetings prior to my attendance and were focusing on only one option without referring to their instructions. After alerting the Committee to the fact that they were to research options for the town acquired property and not limit their presentation to the Select Board/Town to one option, as stated in the guidelines for the Committee, and that the Committee held more members than was required; members that might financially benefit from restricted land use, members voting without the authority to do so, and or were members of KLT, which appeared to be a serious conflict of interest, the Select Board amended their guidelines to align with a Committee designed for the sole purpose of keeping the land as a "Town Forest" governed by the policies of KLT as open space and public use without consideration for the previous landowner or the tax rolls.

In my opinion, the acquisition of this property was unjust, the options and considerations for the property in favor of open space and public access, KLT, and is an inaccurate portrayal of the character of this town. If I am mistaken and this is the way in which the town wishes to treat its taxpayers and neighbors, than I am extremely disappointed in all those involved.

I think a new Committee without KLT members, only one member of the Select Board without a conflict of interest, and land owners not benefiting from the dispensation of the property should be formed without prejudice, and further research done prior to a referendum vote.

The Select Board has the authority to manage this property without the input of the town, but has chosen to ask for public opinion, but has had very little response, has not educated the townspeople appropriately, and is readying the town to conduct a vote on a piece of property that, up until a couple of years ago, at town meeting, only a handful of people new anything about. This is no small issue, has cost the town a great deal of money it did not have to spend, and is costing it's townspeople time and money to resolve that it should recoup, and realize a monetary gain from.

Please consider these thoughts when promoting the current options.

Thank you,



Cynthia Pettengill

Was Wayne's Taking of the Wilson Pond Lot an Injustice?

Before you draw a final conclusion please consider:

Is Wayne a Caring Community? No less than three neighbors offered to help the former owner financially and were declined!

Was hardship ever claimed? Not so far as is publicly known!

Did the Town act in haste? No. The owners had five years instead of the usual three years and was given several opportunities to regain ownership by paying the back taxes. Requests to come in to discuss a plan to work out payment received no response.

The town acted at every step on legal advice. During the court proceeding to quiet title the former owner did not respond. At Town meeting the Town voted funds to conduct the Quiet title action.

The former owner had undisturbed use and enjoyment of the property for five years, tax-free. During which time he cut and sold timber. During that time, the Town improved the road leading to that land at some expense. Other taxpayers shouldered the \$35,000 hole in the Town budget resulting from his unpaid taxes.

Did the former owner want conservation? He told the Select Board that he did, but was unable to reach agreement with at least 2 organizations on a conservation easement. The Town is now considering providing for

conservation itself, ironically implementing the former owner's stated goal.

Was this action confiscatory? Some citizens are uncomfortable with the disproportion between the amount of taxes owed and the value of the property. It is fairly common that property owners who fail to pay taxes lose property worth more than the amount of unpaid taxes due. Most of these are small and routine, while this one being large attracts attention. If the state's laws and the Town's Ordinances on this should be reviewed in light of situations of this kind, perhaps that should be done.

(In recent years, the Town has dealt with roughly a dozen tax default cases; in all but three, the property was returned to the landowner. In three, it was not.)

Considering the values involved, the former owner did not act as if the amounts were material to him.

Does Wayne ever retain property taken for unpaid taxes? It has not done so in the past, but its ordinances permit doing this. Other Maine towns have retained tax-default property, in some cases for conservation purposes.

It appears that the Town's assessed value of the property was in excess of what its actual market value has been in recent years. This is actually more common than not for many properties in Wayne. The former owner had every opportunity to present evidence seeking an abatement, and never did. In addition, given his stated wish for conservation of much of the land, the opportunity was there to place it in Tree Growth or Open Space and significantly reduce the taxes. It was never taken.

We now receive an unsigned letter arguing that the Town has committed an injustice. If it were to sell the land for fair market value under its existing procedures, the letter asserts, that would be "stealing" from the former owner.

It is true that state law allows towns to adopt a procedure whereby after selling a tax-defaulted property, the former owner would be refunded the difference between the sale proceeds, and the unpaid tax bill (plus costs and interest).

It would be useful to explore this suggestion. One wonders why it did not arise when the Town recently amended its own policies, when the current action on the Wilson Pond Lot was pending.

In any case, one wonders about a policy that would treat an indigent widow unable to pay property taxes on her house in the same manner as a large development corporation that defaults on its taxes due to financial stress.

7/29/18

HOUSE RD \WILSON POND LOT

SOME INFORMATION and food for thought on the 800 pound gorilla(s) FS:

The Town's primary income is from property taxes. The Town has a legal mechanism to forcibly collect those tax dollars by placing a lien against, and then if needed, foreclosing on a property if the taxes are not paid. These legal mechanisms are purposed to protect the Town's ability to raise and collect revenue. It is about the money.

In this case the landowner did not pay the property taxes, for a period of time, triggering tax liens by the town. After unsuccessful attempts to work with the landowner, the Town foreclosed on the property in 2013. The Town took ownership, and in 2016 quieted the title. That whole process appears to be legally done .

In the fall of 2016 the Town formed the Open Space Committee to look at disposition options for this property. While there could be many variations, the committee is presenting 5 Options for Selectmen and Town consideration.

Here is the Rub:

Wayne is a small town. We, the people, are the Town and the Town is us. In this Town, high value is placed our closeness as a caring community and regard for one another. We look out for each other.

This is an unusual property to be tax acquired because of its value and nature. The committee determined that the town is due about \$70,000 (---past taxes and ---costs) . The town has the property tax appraisal value at \$399,000. The market value is estimated to be somewhat less(\$275000).

The questions are:

1. While legal, is it ethical and just , for us... our Town ..., to take \$399000 of value to recoup a \$70000 claim? Is that what a caring community should do? We have all learned a basic of life principle from a young age that "thou shall not steal".. Are we not stealing this person's value over the \$70000 owed the Town? Are we not better than that? If you had a \$40000 bank account and owed someone \$3500 which you did not pay , do you think a court would make you forfeit the whole bank account?

2. Since the tax lien foreclosure process is purposed to make people pay taxes and protect the Town's revenues, how can we reconcile any proposal which takes property from one landowner for not paying taxes, and then transfers it to another who does not pay taxes, or pays extremely reduced taxes? Please remember, it was about the money...not the land use that this property was taken.

How can we remedy these injustices which over-arch our interests and agendas contained in the 5 Options ??

Wayne Town Manager

From: Hildie Lipson <hildielipson@gmail.com>
Sent: Sunday, August 19, 2018 9:00 AM
To: Aaron Chrostowsky
Cc: Stan Davis; Amy Black; Trent Emery; lcirland@gmail.com; dtwelsh277@gmail.com
Subject: Town of Wayne issues of concern

August 19, 2018

Dear Aaron and Members of the Wayne Select Board:

I am taking Gary Kenney's parting words to heart and "taking an interest" in what happens in town. My method is this letter.

I have lived in Wayne for 30 years, voted in every election, attended town meeting almost every year, and consider myself current on most issues in town. A couple of items of concern for me have risen to the top.

First, I witnessed this at Town Meeting in June and heard of it again at the recent public hearing. Is there a written policy for the town that exists to prevent Wayne home and property owners who don't live here year 'round to not be allowed to vote or participate in town meetings? At town meeting, I walked in with property owners who have owned a home in Wayne for more than 20 years, but don't live here all year long. They were asked to sit in the back and not comment or vote. I was appalled! They happened to be in Wayne in June when Town Meeting took place and I encouraged them to attend to "experience" the annual event and hear what's going on in town, as they had never attended before. They pay taxes (a lot more than I do), maintain their property, and when they are here, use the library, shop at the General, and have participated on community organizations boards of directors. And they are not allowed to vote at Town Meeting? To me, **this is unnecessarily separating out part-time residents and inherently unfair and exclusionary.** If I were a part time resident, paid taxes, and chose to buy a house in Wayne, then why would I be excluded from participating in town meeting or a public hearing? If this is a written policy, I would like to see where this is encoded in town law. If it is only a "practice," then I suggest that the Select Board review this practice and do away with it.

Second, I would like to suggest that the Select Board explore the idea of the Town Meeting Moderator be someone who does not live in town. I feel there is too much potential for self-interest that could potentially interfere with moderating duties. It doesn't make sense to me to have someone who lives in town (and pays taxes, perhaps has business dealings with the town or residents) to be running the meeting. I was concerned at this June's town meeting that the moderator injected his opinions into certain discussions and I felt that was not ethical or proper. (I am a stickler for good process). Many other towns hire outside moderators who don't live in town. We don't have to do things a certain way because "we have always done it that way." I would welcome a conversation about this issue and hope that you, the Town Manager and Select Board, would give this suggestion serious consideration.

And finally, I happened to have all the select board members' email addresses. However, on the Town's website, I could not find a list of current select board members (unless I opened the meeting packets under the Boards and Committee's drop down list). Can you please list the current Select Board members and their contact info (with a town email if you don't want your personal email address listed) in a more prominent position on the web site? I only have all of your emails because I know you, have lived in town these many years, and have had some communication with you.

Thank you for your dedication to good town management and your willingness to be part of the process. I would like to hear back how you will address these issues.

With best wishes,

Hildie Lipson
52 Old Winthrop Road

--

Hildie J. Lipson
hildielipson@gmail.com
h) 207-685-9242
c) 207-446-0111

Wayne Town Manager

From: Htlee49 <htlee49@aol.com>
Sent: Thursday, August 16, 2018 12:31 PM
To: townmanager@waynemaine.org
Cc: androscogginboats@gmail.com
Subject: Pettengill tax land
Attachments: img20180816_11270779.pdf

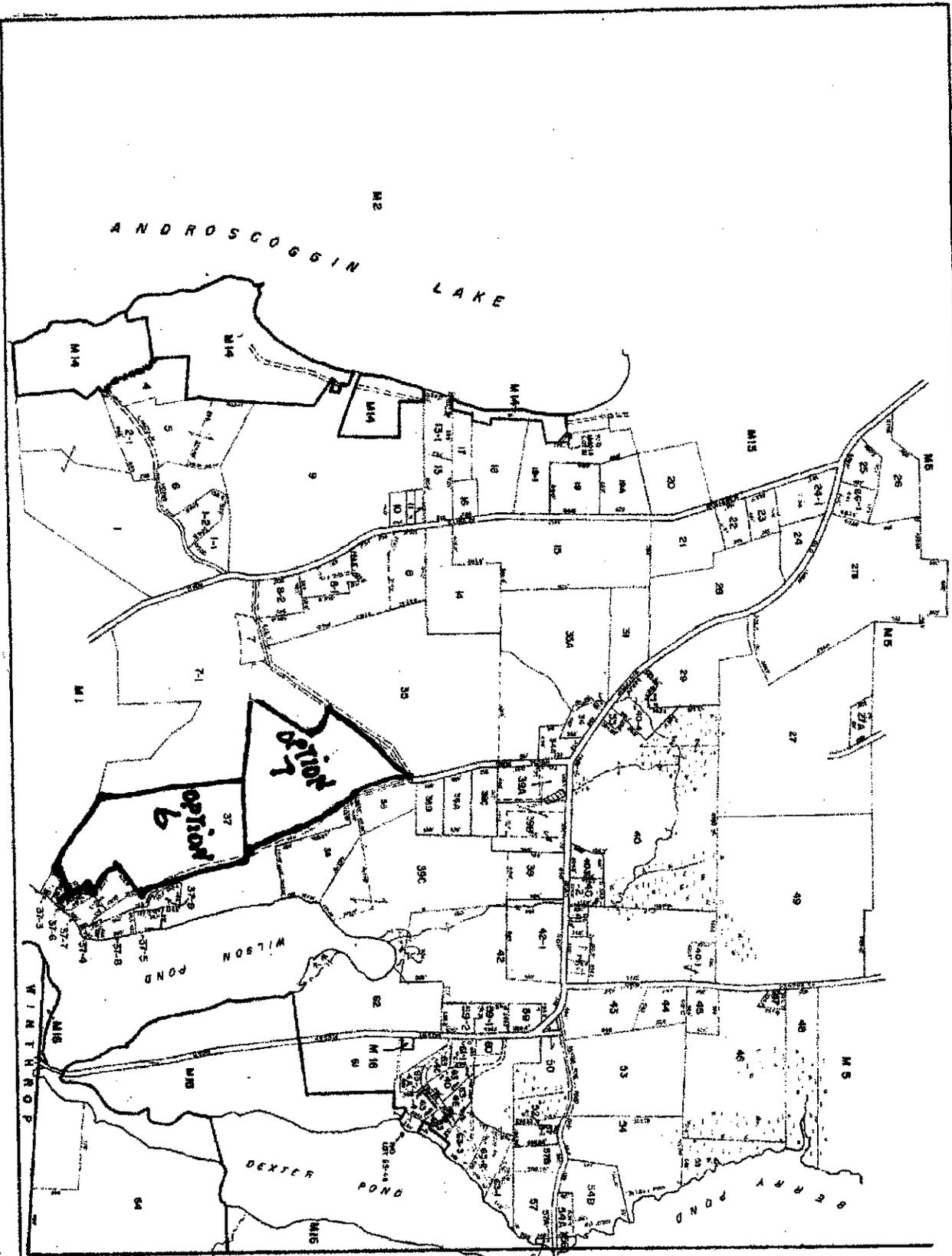
Aaron thank you for sending audio of meeting 08/14/2018. I would like to offer a proposal for an abutter to purchase part of the land. In doing so would insure the existing abutters enjoy what some of us have for the past 50 years plus. I am proposing the following that I will call option 6 & 7. Please see enclosed map 003 as highlighted. I would be willing to put Lot 7 in conservation or tree growth. Which ever the town prefers. I am willing to work with town. I would offer to purchase Option 6 for \$135,000. I would offer to purchase Option 6 & 7 for \$185,000. The reason for my interest is to keep majority of land in Howard family as it was originally purchased by my grandfather and inherited by his eldest daughter Ruby "Howard" Pettengill. In edition would take over ownership of road thus relieving Town of Wayne and KLT of road maintenance obligations. With the exception of a yearly maintenance fee from KLT or town. I have put in excess of \$75,000 in road improvements on House Road. In the form of gravel base, recycled black top, grading, landscaping and ongoing maintenance. Without my efforts the road used to wash out after every heavy rain. I would also keep the land open for Hunting & Hiking activities. I would grant a 50 foot right away on western edge for construction of a trail as Town see fit. I would also install at my cost a few handicapped hunting platforms off house road for disabled veterans and other handicapped people. I would recommend a couple rental toilets at top of house road for public use in designated parking area. Perhaps town could cover the cost.

Aaron please forward a copy of all enclosed to selectmen and open space committee members. Please email me when you have forwarded information.

Please have any interested people contact me directly.

Lee Howard 608 692-8533 htlee49@aol.com
4884 Pine Cone Circle
Middleton, Wi. 53562

Wayne address: 262 House Road
Wayne, Me. 04284



PROPERTY MAP
TOWN OF WAYNE
MAINE
 1878

PREPARED BY
 S. J. LITTLE
 1878

SCALE
 1" = 500'

LITTLE, S. J.
 ENGINEER &
 SURVEYOR
 100 W. 10th St.
 BOSTON, MASS.



Wayne Town Manager

From: Htlee49 <htlee49@aol.com>
Sent: Friday, August 03, 2018 2:05 PM
To: townmanager@waynemaine.org
Subject: Re: Pettengill land

Aaron J. Chrostowsky Wayne town manager just following up on status of open space committee recommendations. Has there been any further decisions made on PETTENGILL Land? Another thing I would be interested in buying from power line pole 8 land west of house road to property line. Then south toward lake abutting CHAPMAN lot, Hersey Lot and my lot. In other words if your coming down down House Road. Pole 8 is on right side. Buy all Land west to property line and south towards lake. This would give a buffer for myself and neighbors to continue the peace and serenity we all enjoy. It would also give the Town ultimate control and determination of use of the remainder of land north from pole 8. Thus achieving preservation of land for future while allowing existing owners the same status enjoyed for past years.

I realize from speaking with people in town of Wayne it was a fore gone conclusion town would favor Kenebec Land trust over anyone. Even though this property was originally bought by my grandfather Francis Millet Howard. Land then inherited by his daughter Ruby HOWARD Pettengill who married Robert PETTENGILL Sr. Thus referred today as PETTENGILL land.

The Howard family has long and deep roots to Maine. Farmed in Leeds, Maine where my grandfather Francis Millet Howard grew up. The same farm where Civil War General Oliver Otis Howard would visit and gave my aunt Ruby Howard PETTENGILL one of his battle swords. That remains with Howard family today. I say to those making determination on destiny of land? Consider leaving all or part of the Land in the hands of original owners the "Howard" family. Truly that's who took care of land over the last 100 years plus. Thank you for considering Howard family request. Please forward a copy of email to all selectmen and open space committee members.
Lee Howard

Sent from AOL Mobile Mail

-----Original Message-----

From: Wayne Town Manager <townmanager@waynemaine.org>
To: 'Htlee49' <htlee49@aol.com>
Sent: Sat, Oct 1, 2016 06:52 PM
Subject: RE: Pettengill land

I don't think it is necessary. I have forwarded it to the Board. They will give me direction on Tuesday.

From: Htlee49 [mailto:htlee49@aol.com]
Sent: Friday, September 30, 2016 7:07 AM
To: townmanager@waynemaine.org
Subject: Re: Pettengill land

Aaron should I come to October 4 selectmen meeting to discuss things further? I will be heading back to Wi. Oct 5. Thank you Lee

September 23, 2016

Aaron Chrostowsky
Town Of Wayne Manager
P.O. Box 400
48 Pond Road
Wayne, Maine 04284

RE: Meeting September 20, 2016

Thank you for allowing me to discuss my ideas on disposition of the Pettengill Tax foreclosure property MAP 3 LOT 37.

As mentioned I would be willing to put land in conservation and pay outstanding taxes owed by Mr. Robert Pettengill. In addition would look at paying some of the towns legal cost incurred previously. Aaron was going to give me amount spent for consideration. I would be willing to put a hiking trail on the property located on the north/west side of House Road.

I have an additional request that I forgot to mention at the meeting on the 20th. I would like to have a buffer of land between my land and conservation land. Directly across from Bill Kelley's property MAP 3 LOT 37-9 and survey a line North/Westerly to property line. I would still grant a trail easement 20 feet wide on above side of property as designated by me.

For the selectmen not present at the September 20th meeting. The Town Manager Mr. Chrostowsky and Selectmen present were told land history. The property has been in the Howard family for over 100 years. The land was originally owned by my grandfather Millett Howard. The land was used to pasture cattle in the summer months and cut timber from the land. My Grandfather used the timber for construction of his sons and daughters homes. Like so many natives my father Sheldon Howard left Maine to pursue his engineering career. Our goal is to preserve family land for future family members who may wish to build a home or cottage. Thus the buffer land would be used for that purpose if needed. Hopefully from the above short family history you can understand my strong desire to keep the property in Howard family.

I think you will find in dealing with me, I am a man of my word that get things done. My goal is inline with that of the towns to preserve the land in conservation. That includes moving quickly on the acquisition of the land to protect it under the conservation program.

Below I have outlined a few of the benefits to the Town of Wayne:

1. Collect total Pettengill Taxes due on land.
Below I have outlined the benefits to the the town of Wayne:
2. Town continues to receive taxes on land
3. Town following its own ordinances offering land to abutter. My neighbors haven't expressed interest in acquiring property in discussions with them. My last Aunt Shirley Hersey (Howard) is in hopes I am successful. She has a cottage next to my home at 262 House Road.
4. Town currently owns the road which leads to lake. Road was a private road owned by Pettengill. Therefore the Town could be asked to maintain Road if they own property. I have spent in excess of

\$85,000.00 in road improvements, with no help from neighbors.

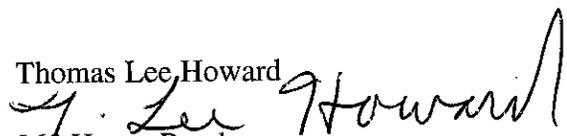
5. My offer to build a trail on the property for hikers, cross country skiing, hunting and handicap accessible trail system.

Thank you for considering my offer and hope everyone can see the benefits to the Town of Wayne and the Howard family. Please see that Selectmen Gary Kenny, Don Welsh, John Lamarche, Trent Emery and select woman Stephanie Haines receive a copy of this letter. A signed copy will be given to town manager Aaron Chrostowsky.

Please feel free to contract me by phone 608-692-8533 or email htlee49@aol.com

Thank you for your time and consideration.

Thomas Lee Howard


262 House Road
Wayne Maine 04284

4884 Pine Cone Circle
Middleton WI, 53562

TOWN OF WAYNE, MAINE SELECTBOARD BYLAWS

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Selectboard (Board) meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern the Board's practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

Section 3. Officers and their Duties

Officers of the Board shall consist of a Chair and a Vice-Chair to be chosen annually at the first Board meeting in July by and from among Board members. The Chair shall preside at all Board meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board to perform its duties and conduct its affairs. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority.

Notwithstanding the presence of the Chair, the Selectboard may, by unanimous consent, authorize the Vice-Chair to preside at that Board meeting. In that instance the Vice-Chair is to have and exercise any and all authority conferred upon the Chair. In a situation where the Chair and the Vice-Chair of the Board are absent, the Board shall appoint by affirmative majority vote of its present members present, a temporary Chair of the Board to serve until such a time as the Chair or Vice-Chair returns to the Chair. The temporary Chair is to have and exercise any and all authority conferred upon the permanent Chair. The Town Clerk shall maintain a permanent record of all Board meetings and all correspondence of the Board, which shall be a public record except as otherwise provided by law.

Section 4. Meetings

Regular meetings of the Board should be held every other Tuesday at 6:30 PM or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the Board, provided, however, that notice thereof shall be given to each member at least twenty-four hours in advance, whenever possible, and that no business may be conducted other than as specified in said notice.

Notice of all Board meetings shall be given as required by law. The Town Manager or designee will post all meeting notices at the following locations:

1. Wayne Post Office;
2. Wayne General Store;
3. Cobbie's Corner Store;
4. Town Office;
5. North Wayne Building "Old Town Office"; and
6. Town of Wayne Website

All such meetings shall be open to the public except otherwise provided by law.

No business may be conducted by the Board except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board being present. The regular order of business at meetings shall be as follows:

1. Call Meeting to Order.

2. Selectboard Members Present (Quorum).

The Chairperson will determine if enough Selectboard members are present (quorum) to hold a meeting.

3. Chair Opening Remarks.

All Selectboard Meetings are governed by Selectboard Bylaws. We encourage all in attendance to read the Selectboard Bylaws. Please understand Selectboard Meetings are working meetings between Board members and town staff. The Selectboard encourages all in attendance to participate, participants must be recognized by the Chairperson before speaking.

4. Conflict of Interest Statement.

Any member with a potential conflict of interest or disqualification, must identify their conflict. The Selectboard will determine if they should participate in meeting.

5. Pledge of Allegiance.

6. Meeting Minutes.

7. Warrants.

8. Business Agenda.

9. Supplements / Abatements.

10. Town Manager Report.

11. Board Member Reports.

12. Public Comments.

13. Adjourn.

Board members are allowed to go into an executive session to deliberate on the matters authorized by 1 MRSA §405 and no others. The executive session can only be entered after a motion has been made in public session to go into executive session. The motion to go into executive session must indicate the precise subject matter, although the wording of the motion, obviously, may not substantially reveal the sensitive information which the law intends to protect by the executive session process. The

motion also must "include a citation of one or more sources of statutory or other authority that permits an executive session for that business".

<u>Reason for Executive Session</u>	<u>Statutory Citation</u>
• Personnel Matters:	1 M.R.S.A §405(6)(A)
• Acquisition or sale of real property or economic development:	1 M.R.S.A §405(6)(B)
• Labor negotiations:	1 M.R.S.A §405(6)(C)
• Consultations with legal counsel:	1 M.R.S.A §405(6)(E)
• Discussion of confidential records:	1 M.R.S.A §405(6)(F)
• Poverty abatements:	36 M.R.S.A §841(2)

The motion must carry by at least 3/5 of the members present. No topic other than that referred to in the motion shall be discussed during executive session. All matters discussed during the executive session shall be held in strictest confidence by the Board and shall not be discussed with or divulged to any person other than a fellow Board member or persons in attendance at the executive session. Any violation of this confidentiality requirement shall be deemed to be malfeasance of office and shall subject the offending Board member to sanction by the Board. No votes/ decisions shall be made in Executive Session. All votes/ decisions shall be made out of executive session for the record.

Section 5. Public to Address Board

The Selectboard encourages citizens (residents, taxpayers, and any or all interested parties) of the Town of Wayne to attend Board meetings, conducted at the Town office at 6:30 Tuesday evenings, which are open to both the press and the public except during executive sessions. Executive sessions, which usually occur at the end of a meeting, deal with topics that the open discussion of which may potentially harm the Town, affected individuals or both, or are authorized / mandated by state law. The Selectboard follows state law with regard to executive sessions. The Board encourages residents to bring issues of concern or interest of an individual or of the community to the attention of the Selectboard. Citizen involvement in Town governance enhances the sense of community that makes Wayne a great place to live, work and visit. Selectboard meetings follow an agenda, which lists the issues the Board will address. The Board wants to hear from citizens and recognizes one way for residents to participate is to speak out in the "Public Comments" section of each Selectboard Meeting. The Selectboard also recognizes that efficient, productive and orderly meetings are essential to ensure full and fair consideration of agenda subjects at each meeting. To balance these two interests, the Selectboard adopts this Policy to govern the "Public Comments" agenda item of the meetings.

Citizens will be allowed to comment on each agenda item, with comments pertaining only to the item being discussed before final action is taken. Comments will be limited to three to five minutes.

There will be one "Public Comments" segment at each regularly scheduled Selectboard Meeting at the end of the meeting. Each "Public Comments" segment is limited to fifteen minutes, allowing three (3) minutes per person. Repeat speakers shall be allowed to speak again after anyone wishing to speak has done so and we are still in the fifteen minute allotted time frame. The full fifteen minute time interval will not be reserved for potential discussion. A citizen who is present at the meeting may request the Selectboard to extend the "Public Comments" time, with the Selectboard voting on the amount of time and either accepting or rejecting the additional time allocation requested.

All "Public Comments" or questions shall be directed to the Chairperson, who will recognize each speaker in turn. Remarks may not exceed three minutes per speaker. ***Each speaker must identify him/herself and the group he/she represents, if applicable.*** Speakers may not "read into the record" remarks prepared for or directed to another person or entity. This segment of the agenda is intended for brief, usually informal, discussions.

A speaker requesting to present a more formal or comprehensive discussion may request in advance to be on the agenda for that evening. To request to be on the agenda, one should contact the Town Manager by Wednesday noon prior to the following scheduled Selectboard Meeting. The "Public Comments" segment is not an appropriate time to request an interpretation and/or decision of the Selectboard. All reasonable requests will be considered, but will be at the Selectboard Chairperson's discretion whether to allow an agenda item, depending on the nature of the request and the time available at a specific meeting. Any request to be on the agenda denied by the Chairperson of the Board, may be brought forth before the entire Selectboard during Public Comments time for the entire Selectboard to review. If a motion is made and passes to add the item to a future agenda, the Chairperson will add it to the agenda within the next two scheduled Selectboard meetings.

The Selectboard will not accept written materials distributed at a Selectboard meeting, other than petitions submitted in accordance with state law. Individuals or groups must submit written materials for the Board's attention to the Chairperson of the Selectboard, no later than noon on the Wednesday before the next scheduled Selectboard meeting. The Chairperson shall provide to the Town Manager any written materials received from the public for distribution to all Board members.

Individuals or groups who desire a response from the Selectboard are advised to contact the Town Manager and all Selectboard Members to request placing an item on the Board's agenda for discussion or submit a letter rather than relying on a "Public Comments" session. The Selectboard shall note any concerns, questions, comments and communications from the public and possibly address at a following meeting. The Chairperson also could direct the individual or group to an appropriate resource for further information. The Selectboard will not enter into debate with the public on a topic but may provide factual information regarding the substance of a comment or ask clarifying questions. Following the meeting, the Chairperson, on behalf of the

Selectboard will submit contact information (if provided) for the member of the public who asked a question or provided a comment to the appropriate resource for further information, if needed.

Questions about Town affairs and criticisms or concerns about Town policies, actions, or programs are welcome, provided they do not become personal.

No personal attacks on any individual or firm, including Town employees, Town officials, or members of the public, will be tolerated during any meetings. Please direct concerns about Town officials to the Chairperson of the Selectboard outside the public meeting. Complaints concerning any employee of the Town, other than the Town Manager, shall be directed only to the Town Manager and are not permitted to be publicly discussed, pursuant to Maine Labor Laws. Complaints involving the Town Manager shall be directed to the Selectboard for consideration, but are not permitted to be discussed pursuant to Maine Labor Laws.

The Selectboard vests in its Chairperson the discretion to terminate any remarks if the speaker does not adhere to this policy. At any time, remaining Selectboard may call a point of order and ask the Chairperson to address any individual(s) that are not abiding by this policy. This pertains to the public, Selectboard Members, and all Town employees.

Section 6. Workshop Sessions

Workshop sessions may be scheduled by the Chair for the purpose of disseminating information for Board enlightenment and evaluation or for the discussion or refinement of future agenda items.

Members of the public are invited to attend any workshop session but will not be allowed to participate in the workshop. Prior to adjourning any workshop session, the Board will provide time for members of the public to address the session to provide information relevant to the subject being explored or to ask questions, through the Chair, relating to the subject of the workshop session.

Section 7. Agenda Items

All agenda items shall be, under normal circumstances, submitted by the Board members to the Town Manager three working days prior to any regular or special meeting. The Town Manager will draft the agenda and obtain the Chair's approval before distribution. In the event that a matter shall arise which was not submitted to the Town Manager within the proper time frame, then that item shall be presented to the Chair as soon as possible. The Chair may present the matter to be considered by the Board, with a majority vote of Board members present required for it to be included on the agenda.

Section 8. Hearings

Public hearings of the Board shall be called as required by law or on such other occasions as a majority of the Board may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however that formal rule of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chair and without interruption, provided however, that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, provided, however, that the Chair may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 9. Board Action.

Any action of the Board shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause shown.

Those present, in such circumstances, who refuse to vote are regarded as having voted affirmatively, i.e. for the proposition, or to have voted with the majority.

Section 10. Meeting Length

All Board meetings, workshops or executive sessions should, except in extraordinary circumstances, adjourn at or before 9:30 p.m.

Section 11. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 12. Waivers; Amendments

These bylaws, or any provisions thereof, may be waived on any occasion by majority vote of the Board unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the Board.

Section 13. Oath of Office

At the first Board meeting in July, the Oath of Office will be administered by the Town Clerk or his/her designee to newly elected Selectboard members

Below is the Oath of Office to be administered:

*I, **XXXX**, do solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States, and of the State of Maine; that I will in all respects observe the provisions of the Ordinances of the Town of Wayne, and will faithfully discharge the duties of the office of **Selectboard, Board of Assessors and Overseer of Poor**. SO HELP ME GOD.*

Section 14. Training For Elected Officials on Maine's Freedom of Access Law

Selectboard members must complete training on the requirements of Maine's Freedom of Access laws relating to public records and proceedings (1 M.R.S.A. § 412). Selectboard members must complete the training within 120 days after the official takes the oath of office.

After completing the training, Selectboard members are required to make a written record attesting that the training has been completed. The record will be filed at the Town Office, which will be available to the public upon request.

Section 15. Legal Counsel

1. The Town Manager will promptly inform the Selectboard Chair as to the Town's receipt of service of a Complaint or other pleading filed against the Town in Federal, State, or other judicial or administrative forum and will promptly notify the Town's liability insurer as to the receipt of a complaint or other pleadings which may potentially be covered under the Town's insurance policy. Within fourteen (14) days after the Town's receipt of service, the Board will meet to determine whether legal counsel needs to be retained, and decide what legal counsel will be retained to represent the Town's interest in defense of such legal action.

2. A notice of Tort Claim served upon the Town will promptly be delivered to the Town's Liability Insurer and a copy will be provided to each Selectboard before the next Board meeting.
3. No legal action will be filed or otherwise prosecuted by the Town without prior authorization by the Selectboard.
4. The authorization to retain legal service for a specific matter will be approved by the Selectboard.
5. Only current members of the Selectboard, Town Manager, and Town Clerk may request written, email, and/ or telephonic legal opinions from the Maine Municipal Association (MMA) Legal Department.

Section 16. Personnel Complaints

The Selectboard agrees to follow this specific procedure for receiving, investigating and responding/ resolving citizen complaints about town government action or inaction including the conduct of any Town Official or department.

1. In the event that a member of the Selectboard, resident, non-resident and/ or staff member transmits to the Town Manager, either verbally or in writing, a complaint or grievance about town government action or inaction, including the conduct of any Town Official or department, that Member or Town Manager shall prepare a written memorandum summarizing the complaint or grievance, which shall be confidentially filed by the Town Manager and confidentially forwarded to all other members of the Selectboard, such as by confidential inclusion in the next Selectboard Meeting packet of information.
2. The Town Manager may, in his discretion, await further action by the Selectboard, including its decision whether to schedule an executive session for a personnel issue, before proceeding further to investigate or respond to the matter.

**RULES OF PROCEDURES ADOPTED BY THE SELECTBOARD ON AUGUST 21,
2018 BY:**

Donald Welsh, Chair

Trent Emery, Vice-Chair

Amy Black

Stan Davis

Lloyd Irland

Attest:

Aaron Chrostowsky, Town Manager

Last Updated: 8/2018

Town of Wayne

P.O. Box 400; 48 Pond Road

Wayne, ME 04284

Phone: (207) 685-4983 Fax: (207) 685-3836

<http://www.waynemaine.org>

Tobacco-Free Policy

TOWN OF WAYNE is dedicated to providing everyone with a safe and healthy environment at all of the **Town of Wayne** town properties, effective **immediately**.

Town of Wayne recognizes that smoking and the use of tobacco products at our town properties is detrimental to the health and safety of everyone and represents negative modeling. Town of Wayne supports an environment where nobody is exposed to the harmful effects of secondhand smoke and everyone is supported in efforts to live tobacco-free. Therefore, **Town of Wayne** has adopted a 100% tobacco-free town property policy, that exceeds state law (22 M.R.S.A. § 1580-A).

This policy prohibits all smoking and the use of all tobacco 24 hours a day, 365 days a year:

- In or on all **Town of Wayne** owned, leased and affiliated properties and buildings.

Cemeteries

1. Beech Hill Cemetery, Strickland Ferry Road
2. Evergreen Cemetery, Fairbanks Road
3. Gordon Cemetery, Berry Road
4. Lakeshore Cemetery, Lakeshore Road
5. North Wayne Cemetery, North Wayne Road
6. Revolutionary Cemetery, Berry Road

Fire

7. North Wayne Fire Access, Walton Road
8. North Wayne Fire Station, 14 Kents Hill Road
9. Village Fire Station, 486 Main Street

General

10. Town Office (leased), 48 Pond Road

Highway/ Solid Waste

11. Sand/ Salt Shed, 208 Fairbanks Road

Historic Properties

12. North Wayne Building, 3 Lovejoy Pond Road
13. North Wayne School House, 9 Kents Hill Road
14. Wayne Town House, 259 Main Street

Recreational Properties

15. Ladd Recreation Center, 26 Gott Road
16. Memorial Park, Main Street
17. North Wayne Dam Park, Lovejoy Pond Road
18. Parks at Mill Pond, Memorial Park Lane/ Bridge Street
19. Wilson Pond Lot, House Road

Town of Wayne

P.O. Box 400; 48 Pond Road

Wayne, ME 04284

Phone: (207) 685-4983 Fax: (207) 685-3836

<http://www.waynemaine.org>

- At all **Town of Wayne** permitted or sanctioned events– both indoors and outdoors when on **Town of Wayne** property.
- In all **Town of Wayne** owned, leased or rented vehicles.

This smoke and tobacco-free policy applies to all people utilizing Town of Wayne space, including organizers of, and attendees at, public events, including but not limited to, athletic events, concerts, productions, conferences, meetings, lectures, social events and/or cultural events using **Town of Wayne** owned, leased and affiliated property. Everyone is required to abide by **Town of Wayne's** smoke and tobacco-free policy.

DEFINITIONS

- A. "Smoking" means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe or joint, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs, whether natural or synthetic in any manner or in any form. "Smoking" also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy.
- B. "Tobacco" is defined as all tobacco-derived or containing products, including but not limited to, cigarettes, cigars, little cigars, cigarillos, bidis, kreteks; all smokeless and dissolvable tobacco products, including but not limited to, dip, spit/spit-less, chew, snuff, snus and nasal tobacco; and any product intended to mimic tobacco, containing tobacco flavoring or delivering nicotine, including but not limited to, electronic nicotine delivery systems, e-cigarettes, e-cigars, e-hookahs, vape pen or any other product name or descriptor. Or the use of any other type of tobacco or nicotine product for the purpose of circumventing the prohibition of tobacco in this policy. This does not include products specifically approved by the US Food and Drug Administration (FDA) for the purpose of cessation or nicotine replacement therapy.

PROCEDURES

This policy will be communicated through tobacco-free signs posted at all property entrances and throughout the facility, through employee education, including being written into training manuals and new employee orientation. Everyone is required to comply with **Town of Wayne** tobacco-free policy. Enforcement procedures are as follows - the Wayne Selectboard may appoint a representative to be responsible for enforcing this policy; however, this policy we hope will self-enforcing by individuals who use the above mentioned town properties. Anybody found in violation of this Tobacco-free policy will be asked to stop or to leave the property.

Town of Wayne

P.O. Box 400; 48 Pond Road
Wayne, ME 04284

Phone: (207) 685-4983 Fax: (207) 685-3836

<http://www.waynemaine.org>

Adopted by the Municipal Officers (Selectboard) of the Town of Wayne, Maine on this 21st day of August in the Year 2018 by:

Don Welsh, Chair

Trent Emery, Vice-Chair

Amy Black

Stan Davis

Lloyd Irland



Municipal Charters

MMA Legal Services Information Packet

This packet is intended for general informational purposes only. It is not meant, nor should it be relied upon, as legal advice in any particular situation. Links to documents herein are provided as examples for informational purposes only and have not been reviewed by MMA Legal Services. Do not use any sample unless it has been reviewed by your legal counsel. The information herein is not a substitute for consultation with legal counsel and legal review or other specific guidance on the subject. The statutes and other information herein are only current as of the date of publication.

Date of last revision: 2/2015

This packet includes the following attachments:

- [Title 30-A M.R.S.A. §§ 2101 - 2109](#)
- ["Municipal Charters,"](#) *Maine Townsman*, August 1992
- ["Some Advice on Charters,"](#) *Maine Townsman*, August 1992
- ["Charter Revision or Charter Amendment?"](#) *Maine Townsman*, "Legal Notes," May 1982

Important issues and considerations include:

I. Municipal Home Rule

Municipalities, although legal corporations and political subdivisions of a state, have no inherent authority or responsibilities and derive their powers and duties solely from the state, which is the "sovereign" power. Historically, municipalities have had only those powers expressly conferred by the state legislature (by so-called "enabling" laws) and those that were implied from or incidental to such laws or were essential to the purposes of local government. Since the adoption of "home rule" by Maine in 1969, however, Maine municipalities have had power over all matters of a local or municipal character unless denied expressly or by clear implication ("preempted") (see Me. Const., Art. VIII, pt. 2, §1). This includes the power to adopt or amend municipal charters by local referendum election without the involvement of the Legislature (see 30-A M.R.S.A. §§ 2101-2109, linked above) as well as the power to enact ordinances on most subjects without the necessity of State enabling laws (see 30-A M.R.S.A. § 3001).

II. Home Rule Charters

Although Maine law does not specifically define "charter," it is generally understood to mean a single document setting forth a plan of municipal government comparable to the State and federal constitutions. Typically, a charter specifies the form of government (e.g., town meeting-selectmen, town meeting-selectmen-manager or council-manager), the distribution of legislative, executive and other powers, the delegation of various legal and administrative functions, and the procedures for making and implementing budgetary decisions, among other things. In this sense, it is fundamentally different from the special act of the Legislature by which each town and city in Maine was incorporated or "chartered." For purposes of this packet, "charter" means that document drafted and adopted pursuant to the home rule powers (see "Municipal Home Rule" above) or enacted by the Legislature before home rule and now subject to amendment or revision according to the statutory procedures for home rule charters (see 30-A M.R.S.A. §§ 2101-2109 attached). Approximately 75 to 80 of Maine's 492 municipalities have adopted home rule charters.

III. Rationale for Charters

Municipalities are not required to have a charter, nor do many of them need one. For example, a town meeting-selectmen-manager form of government may be adopted by simple vote of town meeting (see "Town Manager Plan by Charter or

Statute," *Maine Townsman*, April 1977), and many municipal offices (e.g., clerk, tax collector, treasurer, road commissioner and planning and appeals boards) may be made either elected or appointed by town meeting vote. However, final legislative or budgetary authority over most matters may not be vested in a council or some body other than town meeting except by charter (see 30-A M.R.S.A. §§ 2001(9), 3007(1)). In addition, members of a school committee are not subject to recall unless pursuant to a charter (see 30-A M.R.S.A. § 2602(6)).

IV. Adoption Procedure

A charter may not be adopted without a charter commission first being established by referendum (30-A M.R.S.A. §§ 2102-2103). This may be initiated either by order of the municipal officers or by petition of at least 20% of the number of voters in the last gubernatorial election (but not less than 10). Under the petition alternative, 5 voters must first file an affidavit as the "petitioners' committee" with the municipal clerk, who must prepare and issue the petition forms to them. If the completed petitions are timely filed (within 120 days) and certified "sufficient" by the clerk, the municipal officers must, within 30 days of the certificate (or their adoption of an order), submit the question of whether to establish a commission to the voters at the next regular or special municipal election held at least 90 days thereafter. If the question is approved, 3 "appointive" members must be appointed by the municipal officers within 30 days after the election. Election of "voter" members (generally 6) may be held at the same referendum as for the commission but must be held within 90 days thereafter. Once elected, the commission has 12 months (subject to a 12-month extension for certain reasons, see 30-A M.R.S.A. § 2103(5)(E)) to prepare and submit a final report to the municipal officers proposing a charter (see also "Role of the Commission" below). The municipal officers must submit the proposed charter to the voters by referendum at the next regular or special municipal election held at least 35 days thereafter. (Note: The procedure for calling a referendum election requires that the municipal officers approve an order to place a question on a ballot at least 45 days prior to the election, so it is recommended that the municipal officers comply with this "longer" time frame. Also, although the charter adoption statutes do not require a public hearing on this referendum, the secret ballot statute generally requires a public hearing on all referenda, and so we recommend a public hearing on a charter commission referendum. See 30-A M.R.S.A. § 2528(5).) At least 2 weeks before the election, they must also post the commission's report in the same manner as for proposed ordinances and make copies available to the voters in the clerk's office (See 30-A M.R.S.A. § 2105). If a majority approves the proposed charter and the total of votes cast (both for and against) is at least 30% of the total of votes cast in the last gubernatorial election, the charter takes effect on the first day of the next succeeding municipal year (except for provisions requiring elections, which take effect immediately). Within 3 days after the results of the election have been declared, the clerk must prepare and sign 3 certificates setting forth the charter as adopted and send one each to the Secretary of State, the State Law Library and the clerk's office (See 30-A M.R.S.A. § 2106). Within 30 days after the election, any 10 voters may petition the Superior Court for judicial review of the adoption procedures (See 30-A M.R.S.A. § 2108). However, the charter may not be invalidated because of procedural irregularities unless they "materially and substantially affected" the results. If the charter is invalidated for procedural reasons, the court may order it to be resubmitted to the voters to "cure" the defect. Otherwise, if no procedural challenge is timely filed, compliance with all procedures is "conclusively presumed."

V. Role of the Commission

Establishment of a charter commission is a prerequisite to adoption (or revision) of a charter. Once the commission has been elected, the municipal clerk must "immediately" notify its members of the commission's organizational meeting at least 7 days in advance (See 30-A M.R.S.A. § 2103). Within 30 days after the organizational meeting, the commission must hold a public hearing (with at least 10 days' published notice) "to receive information, views, comments and other material relating to its functions." Within 9 months after its election, the commission must prepare and circulate a preliminary report proposing a charter (or charter revision). Within 12 months after its election (subject to a 12-month extension for certain reasons; see 30-A M.R.S.A. § 2103(5)(E)), the commission must submit a final report to the municipal officers (see "Adoption Procedure" above). The commission continues in existence for 30 days after submitting its final report unless judicial review is sought, in which case it continues until review and any appeals are finally completed.

VI. Revisions and Amendments

Basically, a charter revision is a fundamental change in the form or scheme of government as established by the charter, while a charter amendment is merely a change or correction of *detail* (see "Charter Revision or Charter Amendment?" *Maine Townsman*, May 1982). The difference is important because, while revisions are subject to the same procedures as for charter adoptions, including the requirement of a commission (see "Adoption Procedure" above), amendments do not require a commission and may be initiated directly, either by order of the municipal officers or by petition of at least 20% of the number of voters in the last gubernatorial election (See 30-A M.R.S.A. § 2104). Where a citizen-proposed charter amendment is unconstitutional and lacks an opinion from an attorney that it does not violate the law, the municipal officers

may decline to submit the proposed amendment to the voters. *Nasberg v. City of Augusta*, 662 A.2d 227 (Me. 1995). The procedures for submitting amendments to the voters are outlined in the statute (See 30-A M.R.S.A. § 2104).

VII. Method of Voting

The voting on all questions relating to charter adoption, revision or amendment must be by "secret ballot" process even if the municipality has not otherwise adopted the secret ballot method of voting (see 30-A M.R.S.A. § 2105; 30-A M.R.S.A. §§2528-2532; also MMA's *Town Meeting and Elections Manual*). Among other things, this requires that nomination papers be available at least 85 days before the election for "voter" candidates for the commission, that the municipal officers adopt an order for placing a question on the ballot at least 45 days before the election, that absentee ballots be available at least 30 days before the election, and that the municipal officers hold a public hearing on all referendum questions at least 10 days before the election (with 7 days' posted notice thereof). In addition, the statute prescribes the form of the questions to be voted upon (see 30-A M.R.S.A. §§ 2102(5), 2105(1) and (2)).

VIII. Professional Counsel

Adopting, revising or amending a charter can be a complicated but worthwhile undertaking, involving numerous technical issues as well as more basic policy decisions. The statutes intend a charter commission to be broadly representative of community interests and to actively solicit citizen participation in its affairs, but there is also a role for experts. In fact, before a charter or charter revision or petitioned amendment may be voted upon, an attorney must certify that it does not contain any provision prohibited by the federal or State constitution or the general laws (See 30-A M.R.S.A. §§ 2103(5)(D), 2104(5)(B)). In addition, it is advisable that responsible municipal officials work closely with local counsel throughout the process to ensure not only that all procedural requirements are met but that the final product accurately reflects the intentions of the community and is consistent with the general laws and sound public policy.

Town News – September 2018

Please remember that kids are heading back to school, so please watch out for the kids at the bus stops and walking along the roads. The Town has contracted with Kennebec County Sherriff's Office for rural patrol this fall. Police will take notice.

In observation of **Labor Day, Monday September 3, 2018**, the Town Office will be closed. It will re-open on Tuesday September 4, 2018, during our regularly scheduled hours.

This month the **Selectboard** will be meeting on **September 4** and **September 18** at **6:30 PM** at the **Wayne Elementary School Gymnasium**.

This month the **Planning Board** will be meeting on **Wednesday September 5** at **7:00 PM** at the **Wayne Town Office**.

The Town's **Assessor Agent** Matt Caldwell from RJD Appraisal will be available by appointment on **Monday September 24, 2018** to answer any questions you might have about your assessment or tax bill. Please contact, the Town Office to schedule an appointment.

Your **2018 property taxes** were committed in August and tax bills were mailed at the end of August. **Property taxes are due on Monday October 1st, 2018.**