

\*\*\*Meeting Minutes are in Draft Form until Approved by the Board\*\*\*

KIRBY SELECTBOARD'S MEETING

MARCH 23, 2017

The Selectboard met at the Kirby Town Clerk's Office on March 23, 2017. The meeting was called to order by Chairperson Rebecca Hill-Larsen at 6:40 p.m.

Those present were: Selectpersons Rebecca Hill-Larsen, Steven Baker and  
David Chase  
Kirby Resident Charles Hunt  
Assistant Town Clerk Marla Waring  
Secretary Wanda Grant

There were two additions to the agenda – Sand screen (grizzly) and waterline for Town garage.

David Chase informed the rest of the Board that he has received a quote for a new sand screen – Ryan's Welding for \$9,147.85 with \$5,000 to \$6,000 upfront for purchasing the materials needed. Steven Baker stated that he will get at least two more quotes. The Board decided to wait for the additional quotes and discuss this further at their April 3 meeting.

David Chase stated that Road Foreman John Ohina would like a waterline installed around the shop with a faucet by the front. This will make it more convenient - instead of having to drag the hose across the garage floor when needed. This will cost around \$200 for materials and he will install it at no charge to the Town. The Board okayed this work.

Rebecca Hill-Larsen informed the rest of the Board that she was approached by Bob Whittaker. He wanted to make sure that the Board has seen the 1997 meeting minutes concerning Lynhill Road and stated that the residents of Lynhill might be willing to discuss this matter with the Board without lawyers. The Board felt that they should not do this until they talk to an attorney since the Town has been served papers.

Charles Hunt was present to state that he used to live on Lynhill Road and feels that the Town should not stop taking care of the road.

Steven Baker stated that the hill on Lynhill is dangerous and that the Town truck has had problems on this hill at least 3 times. He stated that there is no room for error. He also feels that the Town should not take over this road without taking over all Class 4 roads. He gave a brief history of the road – just a skidder road when Paul Dwyer built there and Bob Wood was trying to be nice when he made it better.

Charles Hunt pointed out that people are living on that road and they pay taxes.

David Chase pointed out that other people also live on Class 4 roads.

Steven Baker stated that when someone buys property it is up to the buyer to look into such things as this. He stated that what started as a good gesture has now involved into a problem. He pointed out that the Town has a Class 4 policy that was updated last year.

Rebecca Hill-Larsen stated that she had made a motion to reclassify the road to a Class 3 and have the residents pay for the upgrade.

Steven Baker stated that that was true but the vote was 2 to 1 not to reclassify.

David Chase stated that the hill is too steep and maintenance in the future will cost a lot of money.

Charles Hunt stated that some of the people who there live now have always seen the Town taking care of the road. He feels that it is bad for the Town to fight this.

Rebecca Hill-Larsen stated that the Town was served last Friday with an appeal and a lawsuit. The Town Attorney was notified but felt he had to recuse himself since he was too close to the situation (lives on Mud Hollow Road – many involved neighbors.) So now the Board has to meet in a warned meeting to find an attorney.

David Chase stated that in other towns they have several people on their road crews and that one man usually handles only 10 to 15 miles of road. In Kirby we have only one man to handle 30 miles. If the Town takes on more mileage the Town will have to look into having another man and truck.

Steven Baker stated that if the Town takes over (reclassify) Lynhill Road other people on Class 4 roads will be asking the Town to take over their roads too. He did note that if they did, they would be expected to pay for the upgrades too. He noted that it would cost a lot to upgrade the Victory Road and the maintenance on that road would be costly.

David Chase pointed out the Tim Peters lives on Shirley Lane and he has medical issues. It would be hard to turn him down. Jim Wood is also another resident who lives on a Class 4 road (road located in South Kirby).

It was asked what changes were made to the Class 4 policy when updated. It was noted that the special exception for Victory Road was removed and a Class 4 budget was established.

David Chase pointed out that the Class 4 budget basically covers the grading of Class 4 roads once a year, which is part of the Class 4 policy.

Rebecca Hill-Larsen made the motion to enter into executive session to discuss hiring an attorney to handle the Lynhill Road lawsuit. David Chase seconded the motion. So voted.

The Board entered executive session at 6:41 pm and re-entered open session at 7:50 pm.

Steven Baker made the motion to speak to Langrock Sperry & Wool, LLP (attorney Kevin Brown) and/or Dan McQuade at Steve Addler's office about handling the Lynhill Road lawsuit. Motion seconded by David Chase. So voted.

David Chase made the motion to adjourn. Seconded by Steven Baker. So voted.

The meeting was adjourned at 7:58 pm.

Respectfully submitted,

Wanda L. Grant, Secretary