**Priority Subcommittee Meeting**

September 29, 2023

In attendance: Karla Black, Roberta Manter, Rebecca Graham, Honorable Catherine Nadeau.

Meeting was called to order at 1:05 p.m.

Rebecca opened the meeting by addressing her concerns of misconceptions and how MMA is being represented. She emphasized that MMA role is to make sure that Municipal officials are adhering to the law and that officials must work within the bounds of the law. Officials are unable to do certain things even though there are people that are stuck in difficult situations. In most cases the courts are the best to sort through the issues.

There followed a discussion between Roberta, Rebecca and Catherine with a focus on the fact that Mainers need a way to be able to reliably know what the status of the road is, have access, and have a faster, more streamlined way to resolve disputes.

The meeting turned to Roberta to discuss her priority ideas. Roberta covered the following topics and proposed written legislation on:

1. Limited Liability for Private Ways where the landowner/resident for those who must maintain the road, or any other person engaged in maintenance of a privately maintained road is not liable for any property damage or damages arising from the personal injury or death of a person traveling upon said Road.

There was a brief discussion between Roberta, Rebecca, Karla and Catherine about winter road closures and standard of care/responsibility. Rebecca thought if they extend limited liability for the Town if someone wants to maintain a closed road in the winter the towns would not object.

1. Discontinuance and Abandonment Statute
2. Discontinuance 3026 A – recommendation to change from Abutters to Affected property owners.

Discussion between Roberta and Rebecca on the best verbiage. Rebecca pointed out that it would be a huge undertaking to do deed searches, property searches etc.

1. If town discontinues a road and there will be no other Public Access, the town must retain a public easement. However, if abutting landowners can negotiate a shared private easement the town should release a public easement and allow the abutters to form a Road Association or Private Easement. Roberta also recommended a 60-day notice period of a road being discontinued, and that a hearing on whether a road should be discontinued should be granted if even one person on the road requests one.
2. If it is determined that the town's Board of Appeals is not authorized to hear the appeal for discontinued roads, timely filing with the Board of Appeals should preserve the right to appeal to the County within ten days after notice of that determination.

Rebecca raised the issue that the problem with the town releasing a Public Easement is that once a private easement is established the landowners, they might be liable to pay money to the town for extinguishing a Public Easement.

A detailed discussion on Public Easements by Roberta and Rebecca followed.

1. Alternative Dispute Resolution
2. Family and Community mediation
3. Agricultural Mediation program

Roberta asked Karla a question about roads maintained under 23 MRS 3121 and whether the logging companies would agree to sharing the costs of maintenance on the road only for the year that they use the road for logging.

Heather asked if there is a motion to end the meeting. Karla so moved Roberta seconded, so moved.

Meeting adjourned 2:55 p.m.