

Letter regarding Gravel Task Force

January 20, 2014

Dear members of the Lamoine Selectboard:

We write with major concerns and objections regarding your decision to establish a task force to amend Lamoine's Gravel Ordinance. For the following reasons, we respectfully request that you reconsider and reverse your decision.

1. A flawed process. *The minutes of your January 9 meeting indicate that the lawyers Peliggi and Bearor discussed the ordinance task force idea in a meeting of the two. In discussion you appeared to readily accept the focus for the ordinance task force to be "3 to 4 points of contention" proposed by Bearor, without discussion of Town issues to be considered. We question the wisdom of accepting such early influence of the lawyer who is suing the Town, but the minutes show further that you reached no clear conclusions as to the purpose, intent, and process of the task force. Indeed, there is no indication in the minutes of a formal vote to establish this task force. You made the decision so quickly that you gave no opportunity for the Planning Board or other audience members to offer opinions or for the general public to learn about and respond to the idea.*

Further, the idea of a task force undermines both the role and the diligent work of the Planning Board in proposing amendments to the Town's ordinances. The Planning Board has received the Town's approval in the past and has already presented you with amendments to the current Gravel Ordinance—amendments specifically addressing concerns of gravel pit owners.

2. A poorly considered composition of a task force. *At your meeting on January 9, you developed no clear definition of the task force membership (especially the process and criteria for selection of members), yet volunteers are being recruited and the appointment of members is scheduled for your meeting on January 23.*

You specifically discussed inviting gravel pit operators, and/or their representatives, who do not live in Lamoine—non-citizens of our town—to be members of the task force. The persons you have identified in the gravel industry have demonstrated an overweening self-interest in their responses and practices since the passing of the revised Gravel Ordinance. We strongly object to non-citizens of Lamoine being engaged in proposing and developing Town ordinances.

3. A motivation apparently misplaced. *If your intention is to find the sources of conflict and explore possible ways that the Town and the gravel pit owners can cooperate, then a new gravel ordinance is not the solution. A working group, facilitated by an independent, disinterested professional trained in conflict management, is a good alternative.*

Your discussions about how to resolve the conflicts between the large gravel companies and the Gravel Ordinance give the appearance that you are averse to defending the law of the Town in court. We genuinely sympathize with your weariness in fending off the lawyers' persistent intrusions into your process, and we urge you to take control by vigorously supporting and energetically defending and enforcing the laws of the Town, and to find the resources to carry out that responsibility.

Thank you for your consideration. We look forward to a reversal of your proposal for a gravel ordinance task force.

Sincerely,

Anne Curtis

Kathryn Gaianguest

Elizabeth Garrett

Bruce P. Gillett

John Jerabek

Carol Korty

Elizabeth McMillen

MaryAnn Orzel

Kathleen L. Rybarz

David R. Sanderson

Valerie Sprague

Catherine de Tuede – currently overseas

John Wuorinen

Susa Wuorinen

Note: All signers have given their approval of this letter by email or phone.