

12/21/2022 Sorrento Select Board Meeting Minutes

Attending via Zoom were Select Board Chair Rob Wilpan, Selectman Jon Mickel, Selectwoman Diana Gazis, Town Clerk Kathi Moore, Fire Chief Joey Clark, Tom Bailey, Ann Blood, Chip Campbell, Susan Clancy-Dougherty, Dan Dougherty, Malachy Flynn, Ann Hoffner, Amanda Mickel, Ted Pruess, Trina Wellman and Wendy Worrell.

The meeting was called to order at 7 pm by Rob Wilpan. The Board discussed the 12/07/2022 minutes. Jon asked for clarification on the motion to accept Dean Potashner's proposal of a check from Treasure Point Association for \$500 to the Town and additionally a \$1500 donation to the Fire Department, but it is unclear whether or not that is to satisfy the entirety of the forgotten 13 years of billing (*for salt and sand*) to Treasure Point Association or if it's for the past 6 years. Rob said it is payment in full for the past 6 years. Jon requested that the minutes be amended to reflect this. Rob made a motion to approve the 12/07/2022 minutes as amended, seconded by Jon, unanimous vote, motion passed.

UPDATE ON TREASURE ISLAND PLOWING ISSUE: Joey reported that there was a discussion between himself, Josh Trundy, Dean Potashner and Rusty Goodwin and as of last night they have come to a tentative agreement, pending Board approval. Josh will plow as far as the Reservoir Road and Rusty will take the rest of it down through. Rob made a motion to accept that plan, seconded by Jon, motion passed.

Kathi reported that the total for the past 6 years that the town cannot bill Treasure Point Association for salt, sand and plowing totals \$11,376.40. Jon asked what the total is for the entire 13 years; \$22,467.76. The total for the 7 years lost due to the statute of limitations is \$11,376.40. Rob said that plowing should not be added into the cost, in 2008 the Select Board made an agreement that the contractor would "donate" the effort to maintain a private road. Jon asked if the Town has an Errors & Omissions policy, if so can we be reimbursed for the mistake that was made by not billing for that work. Jon asked Kathi to look into whether or not the Town has an E&O policy and what that might mean for us being able to recoup for this unbilled work.

For a more information on this issue, please see the links provided in the January 2023 issue of the Sorrento Newsletter.

UPDATE ON HARBOR POWER: No update.

UPDATE ON HARBOR RAILING: At Rob's request Henri Gignoux looked into some other options for the railing. He found someone who assembles the railing with fittings for a quote of \$4500. Rob spoke to a local welder for a quote; he will come back in about a week.

UPDATE ON KEARSARGE AVE/WEST SHORE ROAD VEG CLEARING: Joey reported that the storm last weekend delayed the clearing, he is trying to reschedule with Craig.

UPDATE ON ROAD INVENTORY: Rob contacted Pete Coughlin from Maine Local Roads Division inquiring about Sorrento's road inventory. He sent the State's inventory spreadsheet as well as a link to the Maine DOT Public Map Viewer website. It provides distances and whether state/town maintained. He will get a standalone copy to use for the inventory system. Jon said he has been doing some research about what other towns have done for road inventories and the importance of it. Jon made a motion to form a Road Committee: to create a road inventory, keep it updated and report to the BOS and Road Commissioner as needed. This committee will be tasked with a majority of the BOS and will meet as needed at their convenience no less than monthly. The committee should consist of at least 3 members and the Road Commissioner may choose to be a member of this committee as well. Rob asked how will members be found to join, Jon said to put something in the newsletter and open up to anybody that's interested. Diana doesn't see the need for it. Rob asked Ann Hoffner if she would be interested in being on the committee and she agreed. Rob seconded Jon's motion, Diana abstained from the vote, motion passed with 2 votes in favor. It was decided the road inventory should include town maintained roads only for now and contain the road name, status, width including right of way, length and notes.

NEW BUSINESS:

APPROVAL OF PRIVATE ROAD NAMES: JACK'S WAY & AVERILL LANE:

Rob shared a graphic showing the two driveways with proposed road names and said each of them has deeded a right of way to their lots, they have already been approved by the Planning Board and the 911 Addressing Officer has stated they are not confusing or duplicating names. Rob made a motion to approve the names as depicted. Ann Blood, who recently resigned her position as E911 Addressing Officer, pointed out that no one from the Planning Board reached out

to her with any information. The person who requested the road names does not own either one of those driveways and we don't have anything in writing from the owners of the properties. Rob said Chip Campbell is one of the owners and he is in full agreement of the names. Jon asked Rob if he has something in writing from Chips that he can share with the Board. Rob said he wouldn't be able to find it easy. Jon said he doesn't know that it would be wise for us to accept these names without having a current E911 Addressing Officer in place to advise the board as to whether or not it's a good idea; Rob disagreed. Jon asked if they are allowed to accept this in the absence of an E911 Addressing officer: Rob said yes. Jon asked if it will open up the possibility for any problems down the road; Rob said no. Trina said Chip will be joining in the meeting shortly to explain this. Chip Campbell joined the meeting; he is in agreement with the roads names, Jack's Way and Averill Lane and confirmed there will be 2 residential units on both roads. Rob made a motion to approve the names of Jack's Way and Averill Lane, seconded by Jon, unanimous vote, motion passed.

E-911 ADDRESSING OFFICER POSITION: Ann Blood resigned her position, Rob nominated Darlene Clark for the position, seconded by Diana, unanimous vote, motion passed.

COMMUNITY BUILDING RENOVATIONS: Rob said about 2 years ago the Community Building Committee was assembled to discuss the possibility of taking part of the back room and creating an office for the Fire Department. It was approved by the committee and the contractor who worked on the building corner boards was going to give us a quote, which he finally did.

Project #1: install exterior wheelchair access door to the side of the back room opposite the fire house, construct exterior landing and ramp for door, installation of two awning windows on south wall, replace and repair siding and trim at these locations, Estimated cost \$5880. Rob made a motion to accept Project #1 as proposed, seconded by Jon, unanimous vote, motion passed.

SORRENTO VOLUNTEER FIRE DEPARTMENT STATUS: A resident recently asked the Town Office if donations to the Fire Department were tax deductible. Rob provided the following: It is determined that the Sorrento Fire Department, which was created on March 7 1949 by ordinance, is a Municipal Fire Department. The town is allowed to accept donations as long as the donation is for an established town account specific for the donation. The donations are potentially tax-deductible if the donation benefits the town as a whole, the donor receives a receipt detailing the purpose and the donor is allowed to deduct the donation

(which is determined by their tax professional). There are currently three donation categories and not all benefit the town as a whole so that will need further clarification.

Rob reviewed the Planning Board ordinance; members are to be appointed annually. All members will need to go to the Town Office to sign new papers.

Kathi requested permission from the Board to purchase a 2nd inexpensive laser printer for Clerk's office, to be designated for printing vehicle registrations only. Permission granted.

Kathi reported that there have been a lot of tax map changes over the past few years; she would like to send the file off to Eastern Mapping to update the tax maps. Rob said to hold off, he wants to get an update from UMM who is working on digitizing maps, we do need to update them but he will come back to the Board with a response.

Kathi asked Rob for an update on town website. He said if things calm down he will be able to spend some time on it.

Jon reported he does not have the time to dedicate to his appointment on the Frenchman Bay Regional Shellfish Municipal Joint Board. Ann Hoffner has agreed to take his place. Rob made a motion to appoint Ann to the FBRSMJB, seconded by Jon, unanimous vote, motion passed.

Jon reported that he recently took a Freedom of Access Act (FOAA) webinar and part of that outlined what constitutes an executive session. There was a discussion about whether or not the topics slated for tonight's executive session qualified as such. Jon brought up his 4/15/2022 *Fact Finding Information Regarding Safety Concerns* to Chief Clark, it's going on 8 months with no answers. Rob said he needs legal assistance from the Town attorney before discussing this issue, Jon asked for it in writing so it can be shared with the Board, he would like to see this investigated further. Rob said the other two issues involve personnel matters that need to be discussed in executive session.

Kathi brought up an email she sent the Board requesting permission to stop using the bookkeeping service who currently does the Town's payroll tax reporting, W2 and 1099 issuing, as there have been issues recently, she can do the tasks herself, permission granted by Rob.

Susan Clancy Dougherty spoke about Jon's request for information from Chief Clark. She asked if she can request the information under the Freedom of Access Act, for Jon to send the information to her and she will share with the public. If there are concerns about the effectiveness of the Fire Department, don't sweep it under the rug anymore, it's not acceptable.

At 8:30 pm the Board went into executive session under Statute 30-A M.R.S.A § 405.

At 9:48 the Board returned from executive session where they discussed Kathi's pay increase. Rob made a motion to approve an 8% raise this year, seconded by Jon, unanimous vote, motion passed.

At 9:49 Rob made a motion to adjourn, seconded by Jon, unanimous vote, motion passed.

Respectfully submitted on 01/04/2023 by Kathi Moore, Town Clerk