

05/17/2023 Sorrento Select Board Meeting Minutes

Attending in person at the Sorrento Community Building were Selectmen Rob Wilpan, Selectwoman Diana Gazis, Town Clerk Kathi Moore, Fire Chief Joey Clark, Tom Bailey, Gina Bennett, Greg & Stephanie Bullock, Pam Calcia, Susan Clancy-Dougherty & Dan Dougherty, Darla Crocker, Jock Crothers, Bob Gilman, Ann Hoffner, Bill & Joanne Holmes, Jon Mickel, Elizabeth Moriarty, Bill & Lense Neleski, Crosby & Kathleen Noyes, Daphne & Ted Preuss, Clay & Jane Savage, Dale Strohmaier and Wendy Worrell, plus attendees via Zoom.

The meeting was called to order at 7:00 pm by Rob Wilpan.

DISBURSEMENT WARRANT: Kathi presented Disbursement Warrant #22 to the Select Board to be signed. Rob made a motion to accept the warrant, seconded by Diana. Vote: Gazis yes, Wilpan yes, motion passed.

APPROVAL OF MINUTES: Kathi read a statement regarding her objection to the amendments of the 4/19/2023 meeting minutes. Rob amended the wording of the section regarding her “performance review” to verbatim wording. Her objection was that if one section is verbatim then the entire minutes should be verbatim. Rob said this was done because she waived the executive session so this was done to document her review. Diana made a motion to approve the 4/19/2023 minutes as amended, seconded by Rob. Vote: Gazis aye, Wilpan aye, motion passed. Kathi also objected to the amendments to the 5/3/2023 meeting minutes because Rob sent them via email at 5:57 pm the night of the meeting knowing that no one would see the amendments until the next day. If the minutes are not going to be read during the SB meeting then any amendments should be emailed at least two days prior to the meeting for review. Rob made a motion to approve the 5/3/2023 minutes as amended, seconded by Diana. Vote: Gazis aye, Wilpan aye, motion passed.

TOWN OFFICE LAWN DAMAGE: The front and back lawn suffered severe grub damage which Mike Miller says is beyond his scope of repair, he recommended Green Thumb. Rob said he would call Mike to discuss.

***HAZARD MITIGATION:** SAFETYWORKS inspection: Rob has contacted Scott Simpson to install fall protection railings at the top of the T.O. attic stairs. An electrician needs to place a cage around the light in the T.O. utility room and repair lights and outlets in the other buildings. Rob will complete the paperwork for Safetyworks.

REPORT FROM DEPARTMENTS:

Sewer bill corrections: Darla and Kathi are working on this.

Fire Department efforts after 5/1 storm and Winter Harbor forest fire: Joey reported having a challenge finding contractors to pick up debris. There were two fires in the same spot, he has not heard of the cause yet.

Harbor railing completed: Railings are completed, still looking for an electrician to hook up the lights.

APPOINTMENT TO HANCOCK COUNTY PLANNING COMMISSION BOARD: Rob made a motion to appoint Newbold (Terry) Noyes as Sorrento’s representative for the HCPC Board, seconded by Diana.

Vote: Gazis aye, Wilpan aye, motion passed. Rob announced they are still looking for a second representative.

SPECIAL ELECTION TO FILL BOS VACANCY: Nomination papers will be available for 10 days beginning tomorrow May 18; papers must be returned to the Clerk by June 30; absentee ballots will be available for 30 days; the election will be held on Friday June 30. Rob made a motion to accept the above, seconded by Diana. Vote: Gazis aye, Wilpan aye, motion passed. The Board signed to Notice of Shortened Nomination Profess form. Kathi is to call the Ellsworth American to notify them of this election.

RECALL ORDINANCE: Diana received a call from Elizabeth Moriarity regarding the proposed ordinance. Diana will meet with Elizabeth, Clay and Jane Savage to come up with an agreeable Recall Ordinance to submit at a later meeting for approval.

BUDGET COMMITTEE: The Select Board received 6 applicants and is nominating the following residents as Budget Committee members: Harold Page, Ann Weimer, Rick Knowlton, Wendy Worrell, Darla Crocker and Stephanie Bullock as the alternate. Rob made a motion to approve all six members, seconded by Diana. Vote: Gazis aye, Wilpan aye, motion passed. Even though Rob does not have a copy to review and sign, he suggests using the Budget Committee By-Laws that were handed out for review during the May 3, 2023 SB meeting, with one change, the Budget Committee should start meeting prior to the 4th quarter of the fiscal year, our fiscal year ends June 30, so the first meeting should take place no later than April. Rob made a motion to accept the Budget Committee By-Laws as amended, seconded by Diana. Vote: Gazis aye, Wilpan aye, motion passed.

RSU 24 BUDGET VOTE: Rob stated that our school budget has gone up again; one of the reasons for it is the EPS formula: 60% of the student number and 40% of the town's valuation. Both of these factors have increased. Typically the Select Board does not have an opinion on the budget vote, but it was made known to him that Kathi has been expressing an opinion on the RSU budget and the clerk's opinion should not be expressed during business hours in the town office. Rob made a motion that she follow the opinion of the Select Board and not express her opinion. Diana said she was confused about the motion. Clay Savage asked Rob if he just heard him tell her should could not talk. Rob said Kathi is not a voter in Sorrento, she lives in Gouldsboro, her office is supposed to represent the Select Board's opinion. Kathi said she has no job description stating this, she has been asking for one for 2 ½ years. Rob said he has been looking for one with these little things but hasn't found it. They are not penalizing her for voicing her opinion but not to do so if it doesn't agree with the Select Board; this is the legal opinion of Town Attorney Dan Pileggi. She cannot express her personal opinion if it differs from the SB from this day going forward. Ann Blood asked if she is supposed to contact the SB for their opinion on everything before she opens her mouth and discusses it with anyone; how will she know what your opinion is and whether she is disagreeing with your opinion. Rob said it came up and he was informed of a situation where people felt uncomfortable with the town clerk trying to sway the election. Diana suggests we table this discussion and ask MMA for their opinion. Ann Blood said she suggests that we have free speech, we live in the United States and should be able to find out information, and we shouldn't have to have the town officials telling us what we should and shouldn't believe. Dan Dougherty asked Rob for a copy of the email from Dan Pileggi. It was added that the district budget meeting /vote will be on May 24 at 6:30 pm at Mountain View School.

Diana said it would be helpful to have some sort of financial report available once a month, something short and easy to follow that could be posted in the town office, she was hoping Darla could do it. Kathi

said she is the Town Treasurer and Diana should be making the request to her. Jon Mickel asked if the monthly update was something that was collaborated on beforehand. Diana said no. Jon asked isn't that what the Disbursement Warrant is? He requested that when the Disbursements are gone over by the SB, they are not just looked at but reviewed audibly as it would be a good opportunity for some transparency and for people in town to get a feel for the budget. Rob said **it could be posted**, we will work on that. Jon asked if there will be a routine update from the Finance Committee or will it be just be as the accounts are audited and reconciled; shouldn't that be an agenda item at each SB meeting for an update. Darla said when she has updates she will provide them, it may not be each week depending on what she is working on.

Kathi read the following statement **of her allegations**: I am asking for the town to pay for or reimburse me for attorney fees for hiring an objective employment attorney. The Wilma Dyer letter has cost the town in legal fees plus the cost of police protection (during the 4/19/2023 SB meeting) \$1340. At a minimum I would expect to receive the same amount for my legal fees. I should have the support of the Select Board, but do not. As the result of the way the Wilma Dyer letter was mishandled, the retaliation and bullying I received for standing up for myself, the failed attempts to publicly humiliate me and the way my physical and mental health have been affected, on 4/20/2023 I sought out legal counsel from Gregg Frame of Taylor, McCormick & Frame. Had I not opened the envelope from attorney Pileggi in my capacity as Town Treasurer, which I believed to contain an invoice for legal fees, I would have never known that I, Jon Mickel and his wife Amanda were being defamed and our reputations were all on the line. Many people don't know that Jon resigned from the Select Board because of the accusations in the Wilma Dyer letter. I hope he will choose to run for another office because Sorrento needs accountability in the community. There needs to be an active investigation into who is responsible for writing the Wilma Dyer letter.

Rob thanked her and made a motion to adjourn. Kathi asked what about her request for legal fees. Rob said Dan Pileggi addressed that earlier. Kathi said not to me. Rob said I'll get an answer from him. Jon asked Rob, Your response to that was really, ok let's adjourn the meeting. Rob said as far as that letter goes, no one knows anything. Jon asked you're going to allow that sort of misconduct and behavior from members of our community. Rob said the letter was not credible, the person does not exist. He spoke with the victim mentioned in the letter and he confirmed the allegations are false. Jon said there are 4 victims and one of which asked for your support. Rob said there is no way to trace who wrote the letter. Jon said there is, handwriting. A libelous, defamatory, slanderous letter was sent fraudulently to the town attorney so he suggests handing the letter over to the police. Rob said sure, he will. The issue of the Fire Department gas charges was discussed and how the police investigation did not happen. Diana moved the meeting be adjourned, seconded by Rob. Greg Bullock asked questions about the gas charges. Rob said it is in the State Attorney General's hands and he will hand the Wilma Dyer letter over to law officials.

At 8:12 pm Rob made a motion to adjourn, seconded by Diana.

Respectfully submitted on 7/03/2023 by Kathi Moore, Town Clerk