

THE SORRENTO NEWSLETTER



DECEMBER 2022

Sorrento Town Office

Monday: 8 am – 4 pm

Tues: CLOSED

Wednesday: 8 am – 4 pm

Thurs: 10 am – 3 pm

Friday: 8 am - Noon

Phone (207) 422-6889 Fax: (207) 422-3737

79 Pomola Ave., Sorrento, Maine 04677-3126

townoffice@sorrentomaine.org

**Town Office Administrator/Town Clerk/Tax Collector/
Treasurer/Registrar of Voters/Harbor Secretary/
Maine BMV Agent & Notary:**

Kathi Moore kathi.moore@sorrentomaine.org

Select Board:

Rob Wilpan 207-422-9115 term expires 2024

rob.wilpan@sorrentomaine.org

Jon Mickel 207-479-3544 term expires 2023

jon.mickel@sorrentomaine.org

Diana Gazis 207-422-3697 term expires 2025

diana.gazis@sorrentomaine.org

Code Enforcement Officer & Plumbing Inspector:

Mike Gurtler 207-460-5544

ceo-lpi@sorrentomaine.org

Fire Chief/Road Commissioner/Public Safety Officer:

Joey Clark 207-812-2208 term expires 2023

tonkajoe801@yahoo.com

Harbormaster:

Lou Sutherland Jr 207-266-5706

harbormaster@sorrentomaine.org

Animal Control: VACANT

E-911 Addressing Officer:

Ann Blood 207-907-8167

911officer@sorrentomaine.org

RSU 24 School Board Member:

Janet Wilpan 207-422-9115 term expires 2023

Planning Board:

planningboard@sorrentomaine.org

MESSAGE FROM THE TOWN CLERK

The Town Office will be closed:

December 20, 21, 22, 23 (TRIO training)

December 26 through January 2, 2023
(vacation)

***Notary Public Services
are available at the
Town Office***

**2022 Property Tax Bills were mailed out on
November 18, 2022 and are due by January 17,
2023. If you have not received your bill call the
Town Office at 207-422-6889**

Credit and debit cards are now accepted at the
Town Office!



SORRENTO SCHOLARSHIP FUND

Residents of Sorrento are eligible for scholarship funds to pursue additional learning after high school. These scholarships can be used for a wide variety of education – college, technical school or many other accredited programs. Students receive \$1500 per semester plus a bonus for achieving top grades.

Please consider a gift to this fund and become a part of the community encouraging the next generation of high school graduates to pursue additional education after high school.

**Please make checks payable to: Sorrento Scholarship Fund
and mail or drop off checks to:**

Gina Bennett, PO Box 93,
Sorrento, ME 04677

Sorrento residents, who are currently or will be starting post high school education in the future, please contact
Wendy Worrell at 207-422-2525



2023 Dog Licenses


are now available for purchase
at the Town Office.

If you no longer have a dog that was
registered last year, please call the
Town Office to update your records.

****Dogs must be licensed by January 1 of
each year or when they reach
6 months of age.**

\$6 for neutered/spayed... \$11 for unaltered

***When licensing your dog, you must
bring with you your dog's **rabies certificate
showing the tag number and date of
expiration** and your **certificate of proof of
spay or neuter**, unless these are already on
file at the Town Office.

**Any dog living in the Town of Sorrento
must have a **Sorrento** license/tag. .

This is a friendly reminder that per the
ANIMAL CONTROL ORDINANCE,
it is required that all dogs in the Town of
Sorrento be under the control of their
owners at all times so that they will not
injure persons, damage property or create a
nuisance. The owner of any dog found
running at large and impounded by the
animal control officer, or person acting in
that capacity, shall be subject to an impound
fee set by the contracted animal shelter.



**When transferring your auto
registration from your vehicle to
a new/newer vehicle, you MUST
bring in the registration of the
vehicle you are transferring from.**

Ellsworth branch BMV hours are
8-4:30 Monday through Friday
Tel: (207) 667-9363 8:30-4:30
Fax: (207) 667-0048

STATE OF MAINE RAPID RENEWAL SERVICES:

Online Vehicle Registration Renewal:

<https://www1.maine.gov/online/bmv/rapid-renewal/>

Online Boat Registration Renewal:

<https://apps1.web.maine.gov/online/boat/>

Fishing and Hunting licenses:

https://moses.informe.org/cgi-bin/online/moses_v3/index

EXPIRATION DATES

VEHICLES: Expire a year from when they are
registered (unless you are transferring)

TRAILERS: Can be registered for 1 or 2 years,
same month, except over 2000 lb. Trailers
expire in Feb. (1 or 2 years)

BOATS: Expire Dec. 31st

ATVs: Expire June 30th

SNOWMOBILES: Expire June 30th

MOTORCYCLES: Expire March of every year,
except antique.



RSU #24

Greetings from RSU No. 24,

I hope this monthly update finds each of you enjoying the change in weather. It was difficult seeing the snow falling the other day as I am not ready for the changeover in weather and all that it brings.

Our students and staff are continuing the transition into The Charles M. Sumner Learning Campus. We are working out the kinks and refining our practices and protocols to best serve our students. Our four PK-5 schools are a buzz with learning and opportunities for our students to work with one another. In light of the previous two years (and the pandemic), it's nice to have students in our buildings.

There continue to be limitations to our use of the new facility. The cafeteria, auditorium, and shop spaces are off limits to students and staff. This continues to create disruptions to our staff and students. Per a requirement of the Code Enforcement Officer, we continue to utilize a "fire watcher" any time we have staff and students in the building. We are hoping to get expanded use of the facility in the not too distant future. Unfortunately, at this point, we will not be able to have home winter athletic competitions in the new school. This is highly frustrating and creates a major imposition to our students, staff, and parents. We will play two away games against each one of our competitors. There are a couple of exceptions where the varsity girls and boys teams will play at Ellsworth High School as the school has graciously provided this opportunity for us. In addition, some of our middle school games will be played at the Mountain View School. Please feel free to check the schedules at the Sumner Athletics link which can be found on the school's website. As for when we will have access to the entire building, we are still awaiting word from the General Contractor of the project as to a timeline for the construction of the fire sprinkler cistern project.

School safety is our top priority. There continues to be threats against schools in our state that have created major disruptions. We are working with the Hancock County Sheriff's Office to make sure our emergency plans are meeting the latest in best practices. Our students and staff in all of our schools have had several

emergency drills since the beginning of the school year in an attempt to best prepare all involved. These drills will take place throughout the school year to keep students and staff alert.

It is hard to believe that our Budget and Finance Committee is preparing for the upcoming budget season. We set our dates for the Budget workshops and welcome anyone who would like to attend. The meetings are scheduled for the District Services Facility and will be on Zoom as well. The scheduled dates for the Budget Workshops are February 15, March 1, March 15, March 29, and April 12. All meetings will start at 6:30 p.m.

With the beginning of the holiday season, I reflect on my thirty plus years in the district. Please know that I feel blessed and fortunate to be the Superintendent of RSU No. 24. The passion that our communities have for our students and our schools is deeply appreciated. Thank you for your continued support.

Sincerely,

Michael Eastman, Superintendent
Regional School Unit #24
2165 US Highway 1
Sullivan, Maine 04664
Email: meastman@rsu24.org

Meeting

SORRENTO SELECT BOARD MEETINGS VIA ZOOM

First and third Wednesday of each month
At 7:00 p.m.

Join Zoom Meeting
<https://us02web.zoom.us/j/86535623920?pwd=d010ajZHVE9sbStmQXpZSGMzZkNwUT09>

Meeting ID: 865 3562 3920

Passcode: 307652

Select Board Meeting Minutes 10/19/2022

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, Susan Clancy-Dougherty, Dan Dougherty, Malachy Flynn, Ann Hoffner, Amanda Mickel, Ruth Kennedy, Ted Preuss and John Singer. The meeting was called to order at 7 pm by Rob Wilpan. Rob read the 10/05/2022 meeting minutes and amendments were made. Jon made a motion to approve the minutes as amended, seconded by Diana, unanimous vote, motion passed.

OFFICER ELECTION: Rob announced the first order of business is to elect a Select Board Chair and if there were any nominations. Jon nominated Rob, seconded by Diana, unanimous vote, motion passed.

UPDATE ON RADAR SIGN RETURN: Jon is to follow up with the sales rep to find out why they withheld more of the refund than quoted for the restocking fee.

UPDATE ON WATER ISSUE AT NEW SCHOOL: A conditional Certificate of Occupancy has been granted by the CEO therefore in-person classes will start tomorrow October 20.

UPDATE ON COMMUNITY BUILDING REPAIRS: Joey has not had a chance to check on how the pavement patch held up with the recent rain, he will though.

UPDATE ON DOWNTOWN SPEEDERS: Jon spoke with Lt. Coty regarding patrols, effectiveness, problem areas, etc. Going forward Jon will cc him on traffic data emails & reports.

UPDATE ON TOWN ELECTRIC ISSUES: Rob received a work order from Versant and emailed it to Donnie Lee, he will communicate with Versant and see what are the possibilities of upgrading our electric to the pier.

UPDATE ON DOCK RAILINGS: It was agreed to do one section of return on the South side beyond the corner due to safety concerns. Rob will contact Henri for a quote.

UPDATE ON CATCH BASIN ON WAUKEAG AVE: Joey is trying to find an available contractor, three weeks out is the earliest.

UPDATE ON TOWN EMAIL ADDRESSES: Rob reported Diana now has a Town email.

UPDATE ON TRIO SOFTWARE: Rob reported that at the Special Town Meeting, the Town did approve the extra cost for the real estate module including training.

UPDATE ON SPECIAL TOWN MEETING: Rob reported that all warrant items passed as requested.

UPDATE ON OCEAN AVE EROSION REPAIR: Rob spoke with the DEP regarding erosion control and the possibility of added soil and vegetation to the rip rap. They will inquire and get back to him. Jon said he reached out to MMA Legal to ask them about using a privately obtained shore land Permit By Rule permit to support town emergency roadside repairs and to make sure there are no gray areas and we are doing everything we should be. Joey added if we have any

questions about the permit to ask our Code Enforcement Officer as he was in on this.

UPDATE ON WEST SHORE ROAD HIDDEN DRIVE: Rob clarified that the property owner has already purchased the HIDDEN DRIVE sign and was asking us to install it. Rob shared the email on his screen which provided a picture of the sign, which Joey approved. Joey is to contact the property owner and work with him on getting the sign up. Also, Joey called Hyde Point, in 3-4 weeks they will cut the corner back and also do the vegetation cutting on the Spain residence at the corner of Kearsarge to improve visibility required by the State DOT.

NEW BUSINESS:

Joey requested that the town look into purchasing a metal detector for locating pipes, etc. Jon said to look into the make and model that would be most appropriate for that and get back to the Board with the cost.

Jon asked if we have an inventory of town roads with the condition of which they are in. Rob said the State has a list of culverts on State Roads marked by Garmin GPS. Jon asked Joey to take an inventory of town roads, the condition, length, what is state/town maintained. Rob said the state has such a list. Joey will check with the DOT person who maintains the list to see if he can get a copy of it.

At the last meeting Jon brought up that he received a letter from a resident with some concerns about the ownership of certain stretches of shore land off of Ocean Avenue. It was agreed in the interest of time to postpone the discussion to this meeting. Rob said he reviewed the email from Susan Clancy-Dougherty which included a deed that shows the transfer of land from Long Pond Water Company to the town, which includes the Village Green minus the Captain's house/ Steamboat Wharf area. He agrees with Susan that there is still some uncertainty and needs clarity on other areas; it would be good to continue our search for other deeds. There was a discussion about who owns the Village Green. Rob said the town owns the Village Green; we have been using it for 100 years. Susan said the 1938 Warrant item Article #23 asked if the voters wanted to relinquish the Steamboat property. Rob said that is a different property. Rob said the estate of Frank Jones was the total property, the Steamboat Wharf and Captain's House were deeded separately, there are two deeds, one for West of the pin at the wharf and one for East of the pin but it deserves more attention and we need to acquire more deeds of town property. Jon said it would be good to

know what property the town owns. It would probably be appropriate to consider the help of a real estate attorney. Through the conveyance over the years there have been really confusing deed transfers and the waters are muddled. Public access has been identified, but not conveyed, and once you grant public access you can't simply convey without public access. He has reached out to MMA legal on this question and will share their reply. Ocean Avenue encompasses the entirety of the shoreline as well. Sections on the original plat are shown as Ocean Ave but the road is not there anymore. He added there is a question of the ownership of the town dock because these deeds are wonky. He thanked Susan for all of her research; it's fantastic that we don't have to do it ourselves. Susan said she asked a year ago for info on who owned the Village Green, everybody in the subdivision should be concerned. Rob agreed that the liability of a town is much less than the liability of a private land owner. To be continued.

Jon said Jim Sison reached out to him about a cluster of oak trees growing on what he assumes is town property obstructing his view and would the town consider taking care of this in the Shoreline Improvement Plan. He is Sally Wise's brother-in-law and the property is at the corner of Cedar and Ocean Ave. Jon said it comes down to identifying ownership vs easement in that area. If the town has an easement, he is disinclined to approve that section of shoreline. To be brought up at a future meeting.

Jon then brought up the SHIP Committee and its purpose. Rob said the SHIP committee was established in 1995 and was formed during the centennial to beautify the town. It lead to the Rugosa planting on the Village Green and plans for steps down to Isaac's Beach, which never happened; there is no SHIP committee. It's just a holdover as far as an account to put money in to take care of the shoreline in the town. Susan asked how much is in the account. Rob said he wasn't sure, but the money certainly can't be used for legal costs to look into deeds. It's for erosion control, plantings, vegetation, maintaining town property along the shore.

John Singer asked a question regarding the discussion of ownership of shore frontage – In addition to the Village Green; does the question of ownership include the property in front of his place or the Welch's? Jon said yes there is a concern there. Singer said he echoed Susan comments; look into it sooner than later.

Jon brought up at the end of April there was to be a review of the fire department, with concerns brought to the attention to the Selectmen and Chief Clark. What is the status? Joey said this is still in the works, they are currently rewriting the by-laws, this is next on his list and they will have a package for the Select Board to go over, hopefully by the end of November.

Rob received the contract for the Comprehensive Planning Committee from HCPC. The first quote from HCPC was \$16000 and we approved half several years ago. This contract price is \$13850 and we have a little over \$7000 to get started on this. Rob determined the contract cannot be signed as there is not enough money in the account for it for this year. He will inform HCPC. Also, Roger Woodworth is interested in being on the CPC but works nights at Home Depot. He checked with Averi at HCPC and she would be willing to hold Saturday meetings. To gain another member it could be worth it. Rob will contact Roger.

Kathi informed the Board she is nervous about the amount of money we have left in the bank until tax receipts start coming in. We have received quite a few unexpected large bills recently. She has deferred October and November RSU 24 payments until December. Rob said a big factor is due to the significant jump in the school bill, currently paying it with surplus money. He did some checking and the Board can approve a TAN without voter approval. Kathi already got a quote from Machias Savings Bank about a TAN and we can borrow \$50,000 for 90 days at 4.31% interest for an estimated cost of \$543.18. Rob made a motion that they approve a TAN for \$50,000 from Machias Savings Bank, seconded by Jon, unanimous vote, motion passed.

At 8:14 Rob made a motion to adjourn, seconded by Diana, unanimous vote, motion passed.

Respectfully submitted on 11/01/2022 by Kathi Moore, Town Clerk.



Select Board Meeting Minutes 11/02/2022

Attending via Zoom were Select Board Chair Rob Wilpan, Selectman Jon Mickel, Selectwoman Diana Gazis, Town Clerk Kathi Moore, Fire Chief Joey Clark, E-911 Addressing Officer Ann Blood, Tom Bailey, Susan Clancy-Dougherty, Dan Dougherty, Pat Dougherty, Barbara Fauth, Malachy Flynn, Ann Hoffner, Rick Knowlton, Amanda Mickel, Ted Preuss, Trina Wellman

and Wendy Worrell. The meeting was called to order at 7 pm by Rob Wilpan.

PRESENTATION BY HARRIS LOCAL GOVERNMENT:

Chad Coombs, Chris Sanborn and Will Coffin from Harris Local Government made a presentation to the Select Board on cloud based hosting vs on premises server for the new TRIO municipal software. The additional cost is \$3750 for startup and \$3000 yearly maintenance fee. They discussed pros and cons of both options. Jon made a motion to purchase the cloud based hosting package with Harris, seconded by Diana, unanimous vote, motion passed.

Jon read the 10/19/2022 meeting minutes and amendments were made. Rob made a motion to approve the minutes as amended, seconded by Jon, unanimous vote, motion passed.

UPDATE ON RADAR SIGN RETURN: Jon said after reviewing his notes the restocking fee withheld by TrafficLogix is in line with what he was quoted by the Sales Rep so there is no need to contact the vendor.

UPDATE ON TOWN ELECTRIC ISSUES: Versant contacted Rob; they are fine with putting the new pole in its original location or in the ground at a higher level on the South side of the parking lot, or running wire underground going to the shelter. It was agreed that going underground would cost too much and the best option would be for a new pole at the south side of the parking lot. Rob will get 2 quotes, 1 from Versant and 1 from Winkumpough Line Construction.

UPDATE ON DOCK RAILINGS: Rob sent Henri an email asking for a quote on railings.

UPDATE ON CATCH BASIN ON WAUKEAG AVE: Joey is trying to get a day freed up from his work schedule to get this done before the ground freezes.

UPDATE ON OCEAN AVE EROSION REPAIR: Jon heard from MMA legal and is waiting for something in writing from them. The attorney said that emergency repairs to town roads done by the Town or somebody else is not a big concern, the biggest concern is public safety. Rob is still trying to get information about adding soil and vegetation between the rocks along the rip rap and will report back.

UPDATE ON METAL DETECTOR PURCHASE: Joey got an estimate for the metal detector and GPS and is going to email it to the Select Board for their review. Tabled.

UPDATE ON INVENTORY OF TOWN ROADS: Joey is working on this, his plan is to inventory every cross pipe in the road, length, size and location position of where it is. Jon added it would be good to identify which roads may have erosion issues; this would help in outlining the projected cost of road maintenance

annually so that over the next 10 years so the Board can be aware of the funds needed to raise and appropriate annually.

UPDATE ON VILLAGE GREEN OWNERSHIP: Jon spoke with MMA legal, specifically about the Village Green and the question about liability vs town liability and ownership. They recommend anyone with liability concerns to have a real estate attorney do a title search. The MMA attorney referenced an opinion given by one of his colleagues a little over a year ago at the request of Rob and until further info can be obtained, he agrees with that opinion. Jon just saw that opinion for the first time as part the email reply from MMA. To summarize the opinion, the Town shouldn't be concerned with the liability and initially the title search doesn't seem to be that big of deal because a deed could be obtained based on the amount of time that that area has been maintained by the town. MMA is to outline their conversation by email, when Jon gets that he will share with the Board.

UPDATE ON SHORELINE PROPERTIES: Jon asked MMA Legal about the town's interest in maintaining these areas of the shoreline; it is their opinion that we should enlist the help of a real estate attorney for title searches to figure out exactly what properties the town owns vs what we have an easement on and that would clarify where we should be using the funds raised by public donations vs SHIP funds. Certain areas along Ocean Ave, where some of the projects might be outside of what we would have for an easement and if those are privately owned parcels, are cause for concern. We should wait for MMA Legal's reply in writing before deciding what action to take as a Board. They also recommend that things like this are best put to a public vote; it's wise to do a special town meeting once we identify exactly what support we are looking for from the community, what questions need to be answered and where we are going to source those. Rob added we will be discovering more details of town property in the future, we can tie it all in and approve an attorney at some point. We need to look into some of these issues but with the budget right now is not the time.

TAN UPDATE: Kathi said Andrea from Machias Savings will stop by office on Friday morning 11/04 with loan paperwork to sign.

NEW BUSINESS:

Rob contacted the Fogler Library at UMO. In early 2023 they will be scanning and archiving online the Town's old books that contain minutes and warrants, at no cost.

Jon said that the Select Board received an email from

Ann Blood, looking for clarification as our E-911 officer, about easements, rights of way and what a private road is. If we, as town employees, accept a road name and purchase a sign for it are we not accepting it as a road, if so what is the accessibility? Rob said we don't own the roads, we have right of way. The roads that go to people's house are private. Jon asked MMA Legal about these roads that go to the water; regarding Bay View Ave with a portion still existing, another portion renamed, another portion involved in the 3033 filing. The road was accepted in its entirety by the Town so it is impossible to vacate in its entirety. Regarding the liability of municipal officers and municipalities, they have no liability. Along the lines of private easements, MMA Legal requested a list of town roads and what we maintain as public ways. There is a concern with Treasure Island Road and the short section of road asked in the snowplow contract to "donate". We need to take a look at that. They advised we cease that request immediately. Jon made a motion that we modify the snowplow contract to no longer include the section of Treasure Island Road that we have asked TR Construction to donate. Rob said he can't consider that motion without knowing the ramifications of it, we need a full plan. Jon said it's not a town road; we need to stop maintaining it and we don't need a plan. Someone in the audience asked if there was already a person who maintains the rest of the road and why can't they maintain the Town's section. Joey said the section of road 2/10 of a mile, from Pomola to the first set of pillars, is a town road and the reason why the road is plowed to the causeway is for a place to turn around, the plow truck would have to back up from there otherwise. Jon said it's the opinion of MMA Legal that we should not be caring for that section of road. The town cannot, for liability concerns, maintain a private way. Rob suggested that we pay a contractor for the town portion and Treasure Island Road Assoc. pay for their portion. Jon said he asked that question and it is acceptable, but he got a hard no because the contract is not written that way, we are asking for a "donation". We are paying the contractor to maintain a section of a private road and the contract is asking for a donation. He was told in no way, shape or form should the town be involved in any process of maintenance for a private way. It was agreed for Jon to send MMA Legal a copy of the plow contract for their review and will share their written recommendations. Also, Jon is to contact the contractor that plows the rest of the Treasure Island Road to see if they would take on the portion that the Town currently plows. The money for that would be a % coming off of Josh's contract. Jon will contact Josh as well.

Rob made a motion to adjourn at 8:37 pm, seconded by Diana, unanimous vote, motion passed.

Respectfully submitted on 11/16/2022 by
Kathi Moore, Town Clerk.



PLANNING BOARD MEETING VIA ZOOM

First Thursday of each month at 7:00 p.m.

Easy option for first time users:

Search: join.zoom.us with Chrome browser

Enter Meeting ID: **889 8753 5935**

Download, install & launch Zoom Client

Enter passcode: **470 621**

THE DECEMBER PLANNING BOARD MEETING HAS BEEN RESCHEDULED TO THURSDAY DECEMBER 15.

Frenchman Bay Regional Shellfish Conservation Program

***Mike Hall, Shellfish Warden 207-400-
6183 or 207-963-7104***



SORRENTO COMPREHENSIVE PLANNING COMMITTEE MEETING VIA ZOOM

7:00 pm Tuesday December 13, 2022

Easy option for first time users:

Search: join.zoom.us with Chrome browser

Enter Meeting ID: **836 8076 2498**

Download, install & launch Zoom Client

Enter passcode: **974 013**

FRENCHMAN BAY LIBRARY NEWS

December 2022

Summer Hours: Tues & Thurs 1-6, Sat 10-3

Winter Hours Effective Oct 3 to May 2:

Tues & Thurs 1-5, Sat 10-2



Hancock County is on Low Alert regarding the spread of Covid even though there have been many cases in our immediate area. We no longer require appointments but do recommend that masks still be worn and that you be conscious of social distancing. Hand sanitizer and masks are available at the door. Air purifier is now in use at the library so the door must remain closed. Library staff will be wearing masks until Hancock County is consistently Low or None regarding the spread of Covid. Help keep our community safe. Masks, hand sanitizer, social distancing and vaccines when possible.



New Books we are ordering this month:

- Sacred Instructions: Indigenous instructions for living a spirit based change by Sherri Mitchell
- A World of Curiosities by Louise Penny
- Lucy By The Sea by Elizabeth Strout
- Trouble The Water by Rebecca Dwight Bruff

Saturday Dec 10th Frenchman Bay Library is sponsoring a Christmas Storytime and craft event from 11:00 to 12:30



Sunday Dec 11th Sullivan-Sorrento Historical Society will be presenting a talk on the book "The Gathering Room: A Tale of Nelly Butler" written by Michelle E. Shores. Michelle will be talking about her writing of the book and her research.



We are still accepting donations to our Food Pantry. The Food Pantry is located down by the Thrift Shop. Hours are Tuesday 1-5 and Saturday 10-2.

Food donations may be dropped off at Dunbar Store, the Sullivan Town Office, the Library or the Thrift Store.

Frenchman Bay Library 207-422-2307

fbaylibrary2017@gmail.com



In the spirit of holiday cooking, here is a recipe for Orange Pudding (also known as Orange Cream) by Mrs. Lizzie Bean as published by members of the John Dority Grange in 1905. The dish was quite popular at local gatherings from the late 19th century on and is mentioned in several letters in the archives:

Orange Pudding, 1905

Peel and slice 3 oranges, lay in dish and sprinkle with sugar. Make a custard with ½ pint milk, yolks of 2 eggs, ¼ cup sugar and 1 teaspoon cornstarch. When cold pour over the oranges, beat the whites of the eggs to a stiff froth, add to this 1/3 cup of pulverized sugar, pour over custard and set in oven a moment to brown. Mrs. Lizzie Bean

2022 has been a busy and productive year for us and we have one more event up our sleeve!

On **December 11th at 2 pm**, in collaboration with Frenchman Bay Library, we will be hosting Maine author Michelle Shores to discuss her new book, **The Gathering Room: A Tale of Nelly Butler**. Michelle's book is based on the true story of the Nelly Butler hauntings which took place in Sullivan from 1799 – 1806. This is the earliest documented haunting in America, and testimony was provided by 31 local eyewitnesses, all early settlers of Sullivan and Franklin. Copies of Michelle's book will be available for sale as well as copies of Marcus LiBrizzi's documentary history of the hauntings. Refreshments will be provided!

2023 is going to be another exciting year for us! If you would like to join our mailing list to stay up to date with events, programs and happenings, please email: admin@sullivansorrento.org

HAPPY HOLIDAYS FROM THE SULLIVAN-SORRENTO HISTORICAL SOCIETY!

Tobey S. Connor

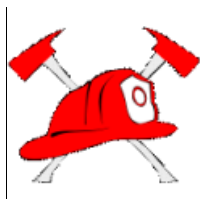
Communications Coordinator
Sullivan-Sorrento Historical Society
Sullivan, ME

tobey.connor@maine.edu

207.266.4448

<http://sullivansorrentohistory.org/>

Sorrento Fire Department



BURN PERMITS

You are required by Maine law to have a **permit to burn**, even for a small pile of grass clippings or leaves. A Forestry Warden will be called if you burn without a permit, possibly resulting in you being summonsed to court and fined.

The person who signs the fire permit is responsible for the fire. Do not leave any fire unattended.

To obtain a burn permit contact:

Joey Clark, Fire Chief	207-812-2208
Brian Clement, Deputy Chief	207-460-4772
Mike Parker, Asst. Chief	207-460-3470
Chris Eklund, Asst. Chief	207-610-2794
Craig Clement, Chief Engineer	207-460-8851

Required for burning:

***at least **two adults** to attend the burn,
**some form of water supply and hand tools must be on hand,
**and it is recommended you have a cellular phone or other communication device to call for assistance should the fire escape.*

YOU are responsible to see that the fire is out before leaving.

FIRE PERMITS

*Commercial burn permits are available
October 15 thru April 15.
Regular burn permits are available
year-round.*

TAKE NOTE

BURNING TRASH IS ILLEGAL!!

State Laws (12 MRSA 9321-25) governing the backyard burning of household trash are enforced by the Maine Forest Service.

If you think someone is burning trash **please call 973-3700 immediately!** 24 hours/day, 7 days a week.

ONLINE BURNING PERMITS

Traditional hand-written burn permits are still available, but the state online system allows permits to be acquired 24 hours a day, seven days a week, throughout the state, provided that the fire danger is not high.

For more information, call 287-4989 or visit www.maineburnpermit.com.

Sorrento Fire Department Roster

Fire Chief	Joey Clark
Deputy Chief	Brian Clement
Asst. Chief	Mike Parker
Asst. Chief	Chris Eklund
Chief Engineer	Craig Clement
Safety Officer	Dudbridge Taylor
Captain	Ken Monroe
Lieutenant	Tracy Painter Clement
Fire Fighter	Paul Bean
Fire Fighter	Todd Daley Sr.
Fire Fighter	Jarod Donnell
Fire Fighter	David Lee



**Sorrento Code Enforcement Officer,
Shoreland Zoning Officer
& Plumbing Inspector**

Michael Gurtler (m) 207-460-5544

ceo-lpi@sorrentomaine.org

Please use email to help document your requests.



Holiday Safety

From late November to mid-January, when families gather and parties are scheduled, safety should be top of mind. Following is tried-and-true advice to ensure your family remains safe and injury-free throughout the season.

Decorating is one of the best ways to get in a holiday mood, but emergency rooms see thousands of injuries involving holiday decorating every season.

When decorating, remember to follow these tips from the US Consumer Product Safety Commission:

- Keep potentially poisonous plants – Mistletoe, Holly berries, Jerusalem Cherry and Amaryllis – away from children.
- If using an artificial tree, check that it is labeled “fire resistant”
- If using a live tree, cut off about 2 inches from the trunk to expose fresh wood for better water absorption, remember to water it and remove it from your home when it is dry
- Place your tree at least 3 feet away from fireplaces, radiators and other

heat sources, making certain not to block doorways

- Avoid placing breakable ornaments or ones with small, detachable parts on lower tree branches where small children can reach them
- Only use indoor lights indoors and outdoor lights outdoors, and choose the right ladder for the task when hanging lights
- Replace light sets that have broken or cracked sockets, frayed or bare wires, or loose connections
- Follow the package directions on the number of light sets that can be plugged into one socket
- Never nail, tack or stress wiring when hanging lights and keep plugs off the ground away from puddles and snow
- Turn off all lights and decorations when you go to bed or leave the house

Candles and Fireplaces

The use of candles and fireplaces, combined with an increase in the amount of combustible, seasonal decorations in many homes during the holidays, means more risk for fire. The National Fire Protection Association reports that one-third of home decoration fires are started by candles and that two of every five decoration fires happen because the decorations are placed too close to a heat source

- Place candles where they cannot be knocked down or blown over and out of reach of children
- Keep matches and lighters up high and out of reach of children in a locked cabinet.
- Use flameless, rather than lighted, candles near flammable objects.
- Don’t burn trees, wreaths or wrapping paper in the fireplace

- Use a screen on the fireplace at all times when a fire is burning
- Never leave candles or fireplaces burning unattended or when you are asleep
- Check and clean the chimney and fireplace area at least once a year

Turkey Fryers

Be alert to the dangers if you're thinking of celebrating the holidays by frying a turkey. The Consumer Product Safety Commission reports there have been hundreds turkey-fryer related fires, burns or other injuries and millions of dollars in property damage losses from these incidents.

The National Safe Council discourages the use of turkey fryers at home and urges those who prefer fried turkey to seek out professional establishments or consider using an oil-less turkey fryer. If you must fry your own turkey, follow all US Fire Administration turkey fryer guidelines.

Steven shufelt
Fully insured one man house painter
Interior/exterior
518-755-8926
Email@stevenshufelt2@gmail.com

458 West Shore Rd
Sorrento Me 04677

Jacob Belhumeur
207-610-0925

West Shore Caretaking LLC
Property maintenance, Lawncare, Snow removal and more
jebelhumeur@yahoo.com



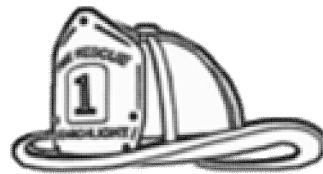
To submit news or advertise in the Sorrento Newsletter, email kathi.moore@sorrentomaine.org or call 422-6889.

The deadline is the 20th of the month

SORRENTO FIRE FIGHTER MEMORIAL

Fire Chief Joey Clark is looking for volunteers to form a committee for the Sorrento Fire Fighter Memorial to be built on the old Sorrento fire house property, honoring deceased members of the Sorrento Volunteer Fire Department.

Contact Joey at 207-812-2208 or email tonkajoe801@yahoo.com



Please consider donating to the Sorrento Fire Fighter Memorial Fund. Checks can be made out to the Town of Sorrento (write FF MEMORIAL in the memo field) and mailed/dropped off at the Town Office, 79 Pomola Avenue, Sorrento, ME 04677

Kathi,

Please add this Q&A conversation in the newsletter as requested.

Thanks,

Jon Mickel
(207)479-3544
Selectman
Sorrento, ME

This information contained in the transmission may contain privileged and confidential information, including patient information protected by federal and state privacy laws. It is intended only for the person(s) named above or to be used only as instructed in this communication. If you are not the intended recipient of this communication, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please notify the sender by email then destroy all copies of the original message.

Q&A Between Jon Mickel & MMA Legal Disclosure for Newsletter

MMA Legal Team,

I am one of the selectmen from the Town of Sorrento. A resident recently brought some concerns to the board about ownership of streets and common areas. This letter "Ocean Ave Ownership Oak Point" is attached. I am seeking guidance with Sorrento's legal title or legal interest in roads that the town of Sorrento accepted with article 23, of the 1896 warrant. The 1896 warrant is attached. Also attached is a map of the subdivision for reference.

Based upon my research from the MMA Guide to Municipal Roads Manuals, historical maps, town records, recorded deeds I have concluded that the already built roads in subdivision that were accepted by the town in 1896 most likely have easement interests/public easements. Is this the case? I know these things can be very complicated...

The minutes of the 1896 annual meeting have yet to be found specifically identifying which streets were already built. The Sorrento Birds Eye View map (attached) clearly identifies streets that were already built as well as many photographs taken during this time period, MMA Road Manual states an easement interest is much more limited than a fee simple interest. An easement is the right to use land owned by someone else for a specified purpose. In the case of roads, the easement allows the public to travel over land owned by someone other than the municipality. Most municipal roads in Maine "rest on" an easement interest rather than a fee simple interest. This is because more municipal roads are held as easements over property. Some roads accepted or taken before January 1, 1977 may be held in fee simple, but this must be stated clearly in the deed or other document by which the municipality obtained the property. Public Easement - A public easement is defined in State law as "an easement held by a

municipality for purposes of public access to land or water not otherwise connected to a public way, and includes all rights enjoyed by the public with respect to private ways created by statute" prior to July 29, 1976. Do not confuse the term "public easement" with "easement interest" which is a type of legal interest in property. Prior to 1976, public easements were called "private ways" or "private roads subject to gates and bars." The term should not be confused with "private roads" or "privately owned roads," which are discussed further below. Note that neither the State statute nor local ordinances are consistent in the use of the term "private way." A public easement differs from a town way in that while the general public has a right of unobstructed access by motor vehicle or foot over a public easement, the municipality is not obligated to maintain or repair a public easement. A municipality's legislative body may authorize the repair and maintenance of public easements, but it is not required to do so. When a municipality does maintain public easements, it not required to maintain them to the same level or degree of maintenance as town ways. Since the decision to maintain is discretionary, the level of maintenance is likewise up to the legislative body. Additionally, the municipality is not liable for defects in or lack of repair to public easements but may be liable for injuries caused by negligent acts of omissions in its ownership, maintenance or use of vehicles or machinery and equipment on such roads. Private landowners cannot prohibit public access to public easements, but they can erect gates and bars for the purpose of discouraging excessive traffic. Initial deed research below leads me to believe that the town may have a Fee Simple Interest a portion of Ocean Avenue that was accepted initially 1896 as an already built street. The deed references below may be pertinent.

Book 660 Page 164 dated 11/19/1937
recorded 2/11/1939
Book 660 Page 165 dated 11/19/1937
recorded 2/11/1989
Book 228 Page 101 5/18/1888

Another issue of concern previously asked by Mrs. Dougherty is regarding ownership and liability of the "Town Green" identified as the Park lots 5 and 6 located between Section C, Division One and Ocean Avenue on the Charles Mann Realty Plan. No deed for this property has been identified to the town. Does the town own it this common area? Is it owned by the abutting land owners or the entire subdivision? The town uses public money every year to maintain the "Town Green" for public use, as well as rents the "Town Green" for functions serving alcohol. Will the town's insurance cover any accidents/damage if the town does not own the "Town Green" or have a lease from the subdivision for the use of the "Town Green". If the lot owners of the subdivision own the "Town Green" can the lot owners be named an additional insured on the town's insurance policy? This information may be helpful defining ownership and responsibilities of other common areas lacking deeds and/or obvious ownership within the subdivision. The deed references below may be pertinent.

Book 221 Page 151 dated 12/22/1887
recorded 1/2/1888
Book 221 Page 148 dated 12/22/1887
recorded 1/2/1888

I would like to express my appreciation to those that contributed to the MMA Guide to Municipal Roads Manual. The Guide is well written and makes complex topics easier to understand.

I look forward to your opinion and guidance on these matters. A written response would be appreciated.

Thank you,

--

Jon Mickel
(207) 479-3544
Selectman
Sorrento, ME

Hello Jon,

It appears you have been doing your homework, and I appreciate the information you've provided. I will do my best to provide as much feedback as possible, though assistance from the town attorney or a local real estate attorney could be necessary to get this over the finish line. My basis for saying that is at some point the geographic specifics (i.e., coordinates) of what land was accepted by the town and/or what may have been acquired by public use over time may very well need to be verified not only at the Hancock County registry, but also on the ground in Sorrento. As much as I would enjoy the chance to visit your neck of the woods, I'm afraid that type of work is not within the scope of MMA Legal Services.

With respect to the roads, can you please also tell me what the status of them is today? Am I correct in understanding that they are currently in use (pedestrian and/or motor vehicle) as part of a subdivision? If so, do you know approximately when they were last maintained by the town?

Any roads that were only established in legal documents but were never built would likely be considered "vacated" as a matter of law, with the property reverting to the abutters, due to a statute addressing "paper streets". I have attached an MMA Legal Note with more information for your reference.

If the roads were in fact established, accepted by the town, and used for travel, the answer to the question of whether there is still a public interest in the roads and whether it is an ownership or easement interest, if so, will depend on the history of Sorrento's maintenance of the roads. If you are able to tell me the last known year of regular town (not private) maintenance, that should help me determine the municipal interest more specifically.

With respect to the town green, are you familiar with the response my colleague Sue Pilgrim provided to one of your colleagues on the board in December? I have attached it for your reference. You will see she provided a fairly thorough analysis that I agree with.

Due to scheduling the next couple of days, I will not be back in the office until next week. Let's aim to connect on Monday to see how else I can assist. While I cannot promise to be able to tie up all of the loose ends from here due to the specialized, local nature of title and boundary research, I hope to be able to help you tie up at least some of them once I have your answers to my questions above.

Best,

Garrett

Garrett Corbin, Staff Attorney
Legal Services Department
Maine Municipal Association
60 Community Drive, Augusta, ME 04330
Phone: 207-623-8428
FAX: 207-624-0187
legal@memun.org

Garrett,

Thanks for the speedy reply and willingness to help sort this out to the best of your abilities. I too am sure this will require further local color and the assistance from a real estate attorney but to have a general direction in which to begin resolving this matter is extremely helpful.

The town of Sorrento maintains 14 +/- miles of roads. There is a state road (Rt 185) which passes over the entirety of East Side Rd, Pomola Ave, Sorrento Ave and Kearsarge St. The latter three roads are in the subdivision in their entirety. These roads were among the roads built for the subdivision that were among the accepted roads at the 1896 town meeting. Pomola, however is only partially in use today. The other part passes over a driveway, now named Porky's Rock Rd. Another road that was accepted but is now only partially maintained is Bay View Ave. A section of which was renamed in 1995 Nautilus Rd. (the 1995 annual report is attached). The currently unused portion of Bay View Ave is involved in a notice 3033 attempt to extinguish the portion of Bay View Ave that passes over a couple of properties now accessed by Sorrento Ave. There are other streets that pass over these properties as well but may or may not have been used. Bay View Ave. was built, used for travel and I assume it was maintained by the town as one of the roads accepted in 1896. There are photos, maps and personal accounts of the use of this section of Bay View Ave. I would guess that it has only been used as a walking trail in the last 50 years, however. The Bird's Eye View picture shows that many more roads were built and used than are being maintained today. Are there public easements remaining on any of these once accepted town roads? The town abandoned a portion of Beech St. in relatively recent years. This was last maintained by the town in the early 2000s. This was done by vote at a town meeting, I'm curious to know if this process was done correctly. These are separate issues, but need to be sorted out at the same time.

Pomola Ave., Sorrento Ave., Kearsarge St., Waukeag Ave., Bay View Ave., Main St., Forest St., Mt. Desert St., Cedar St, Ocean Ave., Doane's Pt., Oak St., Pond St., Nautilus Rd. and Beech St are all roads within the subdivision that are for vehicle use (most paved), maintained and plowed by the town.

West Shore Rd., Bunker Rd., Fuller Rd. and Brinton Rd. are town maintained but are not within the subdivision.

All of these roads are currently covered within the snowplowing contract with TR Construction. Additionally, the contract asks TR Construction to donate time and equipment to remove snow and to sand .2 miles of Treasure Island Rd, which is privately owned by the Treasure Island Association and is part of the original subdivision plan. The cost of the sand is requested to be estimated and reimbursed to the town by the association.

There are parts of shoreline along Ocean Ave. that the town has and continues to improve and maintain with monies raised by taxes and donations to S.H.I.P. (Shoreline Improvement Committee formed in 1995). With a question of ownership vs. easement, it is my understanding that the town can not use public funds for private property. Ocean Ave. has been town maintained since being accepted as a town road. There is no known list of originally accepted roads. The location of Ocean Ave. on the original subdivision plan vs what was built seems to leave properties along the shoreline with no deeds, including the town dock, beaches, seawalls, etc. One area near the end of Ocean Ave. and the transition to Doane's Pt. recently had some erosion repaired along the roadside/shoreline by a private contractor under the instruction of the town road commissioner. The DEP permit from a nearby private project was "used" to encompass this project. I'm wondering if the town should be improving shoreline using permits that were not issued to the town?

One specific issue I have found is the lack of meeting minutes between the 1940s and the early 1960s. This may make things a bit more difficult.

Rob did not share the information provided by your colleague about the town green. Thanks for sharing this.

Please let me know if there is further information that would be helpful.

Regards,

Jon Mickel
(207) 479-3544
Selectman
Sorrento, ME

Good afternoon Jon,

It was nice speaking with you Tuesday. I appreciate you forwarding your Oct. 15 and Oct. 22 emails and I apologize for leaving you with the impression I was not responding. We were able to find the initial emails from you, though we are still

trying to ascertain why they did not come through to our usual email inbox. While I see you included attachments that show some additional town actions, I do not see that you wrote responses in the email. At least on our end, they say "Jon Mickel wrote:" and then it is blank after that.

In any event, in light of the information you shared in our conversation and thinking more about your questions, it very much seems that it is beyond the scope of our services to perform the research necessary to offer a reliable legal opinion on the public or private status of the various parcels in question. As it sounds like you've discovered, there are typically several layers of deed and usage history to wade through, these histories can be different for each parcel or even for different segments of the same road, and hours if not days of research may be necessary in order to tease out what is or isn't public. Even after performing the research, it is often the case that a court order or negotiated agreement is necessary to settle any live questions, and litigation and document drafting are also matters where local counsel is necessary.

So, in addition to those preliminary remarks, the following is the feedback I can provide for now. Though local counsel will be necessary to formulate a definitive opinion on a parcel or road's status, you are still most welcome to follow up with any general questions about how the law works.

With respect to the town green, I attach again for your reference the email drafted by my colleague Sue Pilgrim to your colleague Rob last year, because my advice is still the same as her advice. It does not sound like there is new information that would justify reconsidering Sue's guidance.

With respect to the subdivision roads and Bay View Ave., because the emails came through blank, I'm afraid I really don't have enough information to be able to recommend whether or not the town ought to pay an attorney to research the matter, or if that burden would more appropriately fall on anyone questioning the current status. Generally, if property owners believe that a road which has been considered for the better part of the last century to be either a town way or a public easement is in fact a purely private road, the burden would be on the abutting property owners to offer to the town a formal legal opinion, drafted by an attorney with experience if not expertise in these matters, expressing the legal basis for their perspective that the road is private rather than public. If the scenario were the other way around, i.e. the town wished to establish its claim to roads traditionally treated as private, then the burden might be the town's.

One additional point, which I offer for clarity with my fingers crossed it does not further confuse things, is that a town way which rests on an easement (meaning the underlying land is owned by the abutter with the municipality having the right to use that land for public transit purposes) is legally different than a public easement. The term "public easement" is unique to Maine, and essentially refers to a public right to travel across land even without a public road/town way existing in that location. Anyhow, the actual history of the use and maintenance of the road(s) will be key in determining the current status, likely even more than the information in the deeds or other documents regarding the underlying land and abutting parcels.

That said, if the town believes there is a legitimate public interest in settling this for the sake of quieting title or preventing litigation perhaps, it would likely be permissible for the town to choose to appropriate funds to cover the necessary research. As I mentioned, I would anticipate the charge for this work to be fairly significant, so a town meeting vote would be needed in order to appropriate funds for

this purpose. For these reasons, the board might wish to consider trying to reach agreement on whether/how to move forward and/or put this to a vote.

To summarize, it seems at this juncture the initial question for the board/town would be whether there is sufficient public interest in the legal land or road status questions to justify the expense of a thoroughly researched legal opinion.

I hope that is both understandable and helpful. Again, you are welcome to circle back if additional clarification would be useful.

Best,
Garrett

Garrett,

Thanks for your follow up email and clarifying things to the extent that you were able. This provides some clarity as to the responsibilities of myself and my colleagues on the board of selectmen as we address concerns from members of the community about liability, title, town property and the way the town spends monies raised and appropriated from donations and taxes.

Thank you for providing the written opinion of your colleague about the questions regarding the Village Green.

I had mentioned the issue of Treasure Island Rd and the snowplow contract with TR Construction where they are asked to donate the effort to plow .02 miles of the private section of the road. Additionally, they are to sand/salt this portion with the cost of the material to be reimbursed to the town by the road association. A screenshot of this portion of the document is attached. You had mentioned that your recommendation here was, without question, to amend this contract and discontinue maintenance of this and any private road. Could you please provide, in writing, for my colleagues, whom are copied on this reply, your reasoning for this recommendation and repercussions should your recommendation be ignored?

Thank you again for your help.

Best regards,

Jon Mickel
(207) 479-3544
Selectman
Sorrento, ME

Good afternoon Jon,

I apologize if there is a tech issue on our end; I am still waiting to hear back from our IT folks.

If you are looking for feedback on the legality of a specific contract the town has established with a contractor, I'm afraid that type of review is beyond the scope of MMA Legal Services. We recommend that municipal officials consult with their local municipal attorney for feedback regarding the language used in regulations and contracts prior to adopting the regulation or entering into the contract, no matter what the subject is.

Though I was only able to see the lefthand half of the screenshot of your previous email, if you are inquiring as to the legality of publicly maintaining private property, I attach for your reference a recent opinion I crafted for your select board chair on this topic. If you are also inquiring as to the consequences of providing public resources for private purposes, I think the general consequence is that doing so potentially removes the liability protection of the Maine Tort Claims Act and perhaps town insurance coverage if the activity is beyond the scope of the town's lawful authority and its insurance contract and is occurring at the direction of the town rather than at a contractor's discretion. Because the town might also have to defend itself in a lawsuit, should anyone challenge as unauthorized the provision of public services or materials for a private purpose, I would also recommend consulting the town attorney with further questions regarding whether any existing agreements are of concern to that attorney, given that he or she will ultimately be responsible for defending the town in the event of a legal challenge.

Hope this helps and gets through to you. You are still welcome to call, too. I will follow up if MMA's IT department is able to offer any insight regarding the email trouble.

Best,

Garrett

Garrett Corbin, Staff Attorney
Legal Services Department