



TOWN OF WESTPORT ISLAND
6 Fowles Point Road
Westport Island, ME 04578

Office of the Select Board, Board of Assessors, & Overseers of the Poor

Town of Westport Island
Selectboard, Assessors and Overseers Meeting
Convened at Town Office, 6 Fowles Point Road, Westport Island, ME 04578
June 12, 2023

Present:

Select Board: Jeff Tarbox, Donna Curry (Ross Norton absent)

Citizens: John Henderson, Jim Cromwell (Road Commissioner), Adam Webber, Davies Allan, Bailey Bartlett, Julie Casson, Demi Martinez, Becki Dikitanan, Gary Webber, Vito and Melissa Longobardi and family

Guests: Charlotte Boynton, Lincoln County News, Peter Drum, attorney for the Longobardis

Meeting Convened: Donna called the meeting to order at 7:01 pm

Business Conducted:

1. Warrants:

- a. Donna motioned to approve the Payroll Warrant #107 for \$1,737.79; Jeff, 2nd; vote: 2-0
- b. Donna motioned to approve the Accounts Payable Warrant #108 for \$101,982.29; Jeff, 2nd; vote: 2-0
- c. Donna motioned to approve the Accounts Payable Warrant #109 for \$152.26, replacement check for White Signs; Jeff, 2nd; vote: 2-0
- d. Donna motioned to approve the Accounts Payable Warrant #110 for \$150.64, replacement check; Jeff, 2nd; vote: 2-0

2. Minutes:

- a. Donna motioned to approve the minutes of the 6/5/23 Select Board Meeting, Jeff, 2nd; vote: 2-0

3. Discussion of Longobardi Violation

- a. Peter Drum introduced the Consent Agreement that he has prepared as a proposed resolution to the violation caused by the construction of a garage within the required setback from Lord Road. He had revised his letter and proposed Agreement and sent the revision to the Select Board June 8.
- b. The Select Board commended the Longobardi's for promptly informing the Code Enforcement Officer of the violation when they learned of it.

- c. However, Jeff noted that the description of the events differs from the Board of Appeals Decision Finding of Facts. Of specific concern was that the Findings of Fact reported that a drawing of the proposed garage location was attached to the revised building permit, said drawing showing a revised location since the original proposed location was within the setback. It was on the basis of that drawing that the building permit was issued.
- d. The Findings of Fact reported that the location of the garage as built was not per the building permit drawing, but the Board of Appeals made no finding as to the cause of the error in location. The proposed Consent Agreement does not mention the building permit drawing or the fact that the garage was not built to the drawing, and instead references the marking of the setback on the ground, performed by the CEO and contractor, prior to work commencing.
- e. The Select Board believes a Consent Agreement is a reasonable resolution to the violation, and that the remedy of removal or relocation of the garage is not necessary. However, a Consent Agreement should be based on the Board of Appeals Decision Finding of Fact, so should be revised accordingly, and a penalty for the violation seems appropriate. The town does not inspect the work done under building permits but expects the applicants to do as they stated they would. Applicants should build to their plan unless there needs to be a change or there is an error, and in either case the CEO should be consulted. A penalty for that failure would reinforce this expectation. Jeff mentioned the costs incurred by the town as a potential basis for the penalty.
- f. The Select Board was not ready to settle on a Consent Agreement at the meeting and will consult with the town attorney for advice.

4. Citizens Issues

- a. Demi Martinez discussed several concerns she had communicated to the Select Board in emails. She has been in contact with an Alna Select Board member about an Ethics Code, with the idea that Westport Island might adopt something similar to what Alna had adopted.
- b. In discussion it seemed that the Code could be applied to all town officials. Jeff and Donna agreed that it would be useful to have a process to handle ethics, as it also would provide a clear and open way to address complaints, as was currently being done in Alna.

5. Roads:

- a. Jim reported that the breaking up of ledge on the East Shore Road to improve the roadbed for paving has been underway and should be completed soon.
- b. Donna brought up the issue of deer killed by collisions with cars left by the side of the road. Could they be butchered for meat? The deer cannot be removed or used for meat without a tag issued by a warden or Sheriff's deputy. There does not seem to be anyone responsible for disposing of a carcass. Jim volunteered to deal with dead deer. Jeff removed one on the Main Road by the Town Hall last week and deposited it in his woodlot so it wouldn't be a nuisance.

6. Other Legal Business

- a. Cards of Congratulations are being sent to the town's high school graduates signed by the Select Board, Town Office Staff, and School Board members.

- b. The Select Board approved a contract with Evan Goodkowsky for him to continue to provide his services as a professional assessor for the 2023-2024 assessing year.
- 7. **Adjournment:** Donna motioned to adjourn; Jeff 2nd; vote 2-0. Meeting adjourned at 8:01 PM.

Minutes taken and prepared by Jeff Tarbox

A True Copy, Attest: _____