



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
October 16, 2023

Present:

Select Board: Jeff Tarbox, Donna Curry, and Lisa Jonassen

Citizens: Davies Allan, Mario DePietro, Dennis Dunbar, Pat Smith (via Zoom), Dick Tucker (via Zoom), Ralph Jacobs (via Zoom), Jim Cromwell (Road Commissioner), April Thibodeau (Town Clerk)

Guests:

Meeting Convened: Donna called the meeting to order at 7:00 pm

Business Conducted:

1. **General Assistance Ordinance Hearing:** Donna explained that every town is required to have a General Assistance Ordinance, and it has been the practice of Westport Island to use the model ordinance supplied by the Maine Municipal Association (MMA), along with any updated appendices from the Maine Dept. Of Health & Human Services (DHHS). This year, the MMA has released a new model ordinance with updated definitions that includes the new DHHS appendices. Jeff motioned to adopt the new model MMA General Assistance Ordinance; Donna 2nd; Vote 3-0.
2. **Warrants:**
 - Donna motioned to approve Payroll Warrant #36 for \$5,501.53; Lisa 2nd; Vote: 3-0
 - Donna motioned to approve Accounts Payable Warrant #37 for \$18,921.15 (which includes \$8,000 for sand); Jeff 2nd; Vote 3-0
 - Donna motioned to approve Payroll Warrant #38 for \$1,886.97; Lisa 2nd; Vote 3-0
 - Donna motioned to approve the Accounts Payable Warrant #39 for \$83,639.85 (Almost \$80,000 of this amount is for our payment to RSU #12); Jeff 2nd; Vote: 3-0
3. **Minutes:** Donna motioned to approve the minutes of the 10/2/23 Select Board Meeting; Lisa 2nd; Vote: 3-0
4. **Longobardi Consent Agreement:** Donna shared that the Select Board has drafted a Consent Agreement on the Longobardi matter to bring closure on this issue. The

Consent Agreement was prepared with the assistance of the town's attorney. The agreement includes a penalty of \$2,500 for the land use violation and stipulates that the building may remain where it is but shall not be expanded and any replacement of the structure will comply with the current land use rules. There was discussion regarding the amount of the penalty, which some felt was not high enough to deter future violations by others. Donna explained that the amount was arrived at on the advice of the town's attorney, who did not think the town would be able to secure more in a court proceeding, which would also be costly. It was also suggested that the Select Board take no action rather than signing the Consent Agreement. Jeff explained that the Select Board is required by the ordinance to not allow a violation to continue, and it was necessary to sign the Consent Agreement to bring closure. Lisa mentioned that the Ordinance Review Committee will look at tightening up the land use rules and procedures to prevent future violations. The Select Board reaffirmed their support for the Appeals Board and their decision. Donna motioned to accept & sign the Consent Agreement; Lisa 2nd; Vote 3-0.

5. **Community Resilience Partnership Grant:** Dennis Dunbar reported on the status of the Community Resilience Partnership grant awarded to the town. The grant is to study the impacts of climate change on three vulnerable road crossings over water including the Post Office Road/Squam Creek crossing, West Shore Road/Heals Cove crossing, and West Shore Road/Squam Creek crossing. The study will also analyze the impacts of climate change on properties around the perimeter of the island. This study will give the town the information it needs to apply for future grants to do the work needed to mitigate these risks. The town has partnered with the environmental and engineering firm Wright Pierce to both write the grant and do the research, and now needs to sign a Service Agreement to begin that project. Davies Allan raised concerns about that firm based on his previous experience with them, and asked if it was possible to put the work out to some kind of bid process. Jeff explained that the relationship with Wright Pierce, and the decision to select them as the partner without a competitive bid, was made in the Spring, before we adopted the Procurement Policy. We needed their help to write the proposal. Dennis pointed out that the research would need to begin very soon and there likely was not time to enter a bid process at this point. Dennis clarified that the funding for this study will come from the state and any leftover funds will be returned to the state. Dennis will look into how Wright Pierce came to their price for the project. Donna motioned to sign the service agreement with Wright Pierce; Jeff 2nd; Vote 3-0. Dennis also reported that there is a regional NOAA marsh restoration project in the works that the town may be able to take advantage of in the future.
6. **Update on Water Testing:** Dennis reported that the Conservation Commission received results for 166 wells. Those results have all been reported to property owners. The scientist helping with this project is still analyzing the results and will eventually release a report on the overall takeaways from the data. The next step will be selecting wells for long-term monitoring.
7. **Citizen's Issues:**
 - Mario DePietro asked about the status of steps to address his complaints regarding the junk stored on a Greenleaf Road property. Donna reported that she and Jeff are planning on making a site visit and letting the property owner know that the

property meets the criteria of a junk yard, and he will either need to get rid of the junk or apply for a junk yard permit.

- Dennis reported that the Maine Yankee public affairs contact is retiring. He was a key player in the town acquiring the Yankee Bog and has also consulted with the town about what to do about the Maine Yankee properties abutting town properties. Dennis urged the Select Board to follow up with him before he retires to see if any progress can be made.
- Donna reported that Bonnie Hamilton's well test came back with no elevated PFAS levels. Jeff also heard that other private well tests had come back negative for PFAS. This is good news and indicates that the septic sludge spread many years ago in the area was likely not contaminated.
- Donna reported that the wood gathering day was a success. Multiple residents volunteered to gather and stack wood for use by needy residents over the winter. Dale Reno allowed the town to use his equipment to move the wood and also built a shed to house the wood free of charge. Donna noted that the MMA recommended against the town being involved in the cutting or splitting of wood. She will check with the Boothbay Woodchucks organization to see how they deal with liability. Donna noted that the town still needs a plan for the distribution of both the firewood and the public sand.

8. Roads:

- Jim Cromwell reported that there is a shortage of cold patch available. As soon as it becomes available he will purchase some to patch a few paved town roads. He will also be working on putting up some new road signs. He is still waiting to hear from the DOT regarding a tree that is leaning over Main Rd.
- Jeff reported on his attendance at a Lincoln County Regional Planning Commission workshop on roads. There were some suggestions for traffic slowing measures, and safety measures for bikes and pedestrians. Jeff will work on setting up a meeting between DOT personnel and the Road Committee to explore these options further.

9. Administrative Items

- The Select Board confirmed that they will meet weekly on Mondays in November except for 11/20/23. They will continue to hold workshops on Mondays 6:00 – 7:00 and will move their Wednesday 3:00 –6:00 workshops to Thursdays 4:00 – 6:00.
- April reported that absentee ballots are available for the 11/7/23 Referendum Election, and that people can vote absentee in person at the Town Office during regular business hours through 11/2/23.
 - April brought up the possibility of advertising the need for dog licensing and other matters through the WCA Newsletter. Rose Bodmer had mentioned the possibility of a quarter page ad for \$50/month. The Select Board felt that was more space and a higher cost than needed but is interested in a smaller ad for less. Donna motioned to allow April to move forward on securing monthly ad space in the WCA newsletter; Lisa 2nd; Vote 3-0
- Lisa reported that she and Jeff attended the 2024 Lincoln County Draft Budget

Advisory Committee meeting. The County budget is worst case scenario, going up 10% for the coming year. The County is taking many proactive measures to reduce any budget increase.

10. Other Legal Business

- Jeff reported that he attended the MMA Convention and learned that there may be USDA Rural Development funding for municipal infrastructure. The town will eventually need to replace the Fire Dept. and Town Office buildings. The Select Board will explore creating an ad hoc committee to address this. Jeff also reported that some towns use 3rd party companies to perform land use inspections, reducing the burden on Code Enforcement Officers. This is something the town may want to consider as we tighten up our land use rules and procedures.
- Jeff also brought up the need to begin thinking about how to get the 2025 revaluation done.

11. Adjournment: Donna motioned to adjourn; Lisa 2nd; Vote: 3-0. Meeting adjourned at 9:03 pm.

Minutes taken and prepared by April Thibodeau, Town Clerk

A True Copy, Attest: _____