



# The Arrow

October/November  
2004 Newsletter

Volume 14

Issue 5

## What will the November 2nd Tax Cap Referendum Mean to Arundel?

**Question 1: Do you want to limit  
property taxes to 1% of the  
assessed value of the property?**

### What is the Tax Cap Proposal (Question 1)?

It is a statewide referendum question on the November 2<sup>nd</sup> ballot that, if approved by voters, will:

1. Roll back the property values to 1996 assessed levels
2. Limit property taxes to 1% (\$10 per \$1,000) of the assessed value (plus a portion of citizen-approved debt services)
3. Limit increases of the assessed values of the property to 2% per year

### Is the Tax Cap Constitutional?

At this point no one knows for sure. Currently, the Maine State Attorney General's Office has indicated the rollback and valuation freeze may not survive a constitutional challenge, on the other hand, some municipal attorneys feel the courts will have to make every effort to implement the "will of the people" by upholding the roll-back provision. This would need to be resolved in the courts. Because of this problem, and the fact that approximately 80% of the language in the proposal has constitutional issues, you will see "As Written" and "Best Case" used throughout this summary. As Written assumes that the referendum is enacted into law exactly as presented to the voters, whereas "Best Case" assumes implementation by the legislature after the elimination of all unconstitutional provisions.

### What does this mean for Arundel?

If the Tax Cap proposal passes:

- Property taxes will go down
- Town and School services may sustain major cuts
- New and increased fees may be implemented for Town services and School programs that may more than offset decrease in property tax
- Loss of local control

### What is Arundel's current 2004/05 budget?

For fiscal year 2005 the Total gross budget (school, town and county) is \$7,250,905.

The following is the **net** (gross budget less revenues other than property taxes) amount that was raised by taxes for each department or political subdivision:

School	\$2,783,570
Town	540,865
County	160,494

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## What you need to know about the Arundel Comprehensive Plan Update

The citizens of Arundel will be voting on November 2 to adopt the proposed update to the town's Comprehensive Plan. This page has been written by the Comprehensive Plan Update Committee to make sure that Arundel voters are informed about the contents of the plan.

Adoption of the plan does not change any current regulation. All changes to the ordinances must be presented for town meeting approval.

Adoption of the plan does not cost the town any money. All expenditures mentioned in the plan must be approved by the town meeting.

What does the Comprehensive Plan Update propose?

Promotion of business development in appropriate areas

- More than doubles the size of the business district on the north end of Route One.
- Triples the size of the business district on Route 111.
- Expansion of public utilities to foster business growth on Route One.

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## Village Center Questions & Answers

The Arundel Village Center Planning Committee is concerned that many Arundel citizens have unanswered questions about the proposed Village Center Plan. This brochure presents the answers to many questions about the Plan. The complete Plan is available for review at the Town Office or at [www.arundelmaine.org](http://www.arundelmaine.org).

**Why have a Village Center?** Establishment of a village center will help promote a stronger identity for the town of Arundel. Surveys conducted during both the 1992 comprehensive plan and the current comprehensive plan update indicated that a majority of Arundel residents with an opinion felt that the town suffers from the lack of a village center and that the town should encourage the development of one. At the November 2003 straw poll, creation of the village center was supported by nearly 60% of the voters.

**Where is the proposed Village Center?** The proposed Village Center is near the intersection of Campground Road and Route One.

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**How much money would have to be cut from the school and the town budget?**

If question one passes the total loss in revenue, *As Written*, would be approximately \$1.3 million. Under the *Best Case* scenario Arundel would lose – about \$161,500

**How does this affect education and municipal services in Arundel?**

Certain municipal services are required by State Statute so the school, town, businesses and residents can function (such as plowing, road maintenance, emergency services, revenue collection, etc.). In addition the town is required to fulfill certain educational requirements. However, with revenue loss of the magnitude found in the *As Written* scenario it may not be possible to maintain these services. Using the historical ratio of funding for the school and town (67% school, 33% town) to distribute the loss of revenue would mean that the school would have to reduce their budget by \$870,000 and the town's budget would have to be reduced by \$430,000 *As Written*. *Best Case* would see the school lose \$108,200 and the town \$53,300.

**What changes in Town Services could we see?**

There is no way to know exactly what could change until the actual cuts are determined, but it is anticipated that many services will be severely reduced under the “*As Written*” scenario:

- Ø Elimination of Town Deputy
- Ø Reduced winter plowing, longer clean-up time
- Ø Library support eliminated
- Ø Reduction in road maintenance & infrastructure
- Ø Recreation services reduced or eliminated
- Ø Likely elimination of some departments and staff
- Ø Reduced Town Hall hours
- Ø Reduction in Social Services

**What changes could we see in education?**

The School Board will have to decide what cuts need to be made, but reducing the School budget by \$870,000 (*As Written*) will have severe ramifications, such as:

- Ø School Choice would be eliminated
- Ø Transportation to secondary schools would be eliminated or become fee based
- Ø Teacher and support staff positions would have to be drastically reduced
- Ø All athletic and extra-curricular activities would be eliminated or fully supported by participant fees
- Ø Class sizes will definitely be increased
- Ø School day could be shortened
- Ø Possible shifting of classes from winter to summer
- Ø Reduction in equipment
- Ø Reduction in supplies

Even the *Best Case* scenario will require some combination of the above to achieve \$108,200 of savings.

**Who benefits from a tax cap?**

Commercial and rental properties benefit, as do homeowners. The more expensive the property, the higher the benefit.

Those that live in an apartment or rent a house receive no benefit from a tax cap.

**What would be the property tax savings for a home in Arundel?**

If the referendum passes, the tax savings for every home will be differ-

ent. Based on the “*As Written*” proposal, the tax “savings” for the median home in Arundel would be about \$860. Under the *Best Case* it drops to \$140.

**Will I see new user fees or special taxes being charged to provide services?**

This is yet to be decided. But, it is very likely that fees may be assessed on many services to compensate for the loss in revenues. For the average homeowner, the user fees may offset the tax cap savings.

**Will any Town fees be a deduction on my income tax?**

No. Your property tax is a deductible item, but fees are not.

**Can Arundel vote this proposal down or override it in some way?**

It is a statewide referendum, so even if the referendum is defeated in Arundel but passes statewide, it will still apply to Arundel. There is no local override provision in the proposal for adjusting the 1% (\$10 per \$1,000) tax cap.

**Are these all just scare tactics or will these items really be eliminated in Arundel?**

These are not scare tactics, but realistic estimates of items that could be cut from our Town or School budget. In either scenario, an overall cut of \$1.3 or even \$.16 million from the Town and School budgets will require very real and significant sacrifices.

**How does all of this fit in with Question 1, which passed in June?**

Question 1 requires the State of Maine to increase its portion of School funding from approximately 43% - 55%. This additional funding could allow Towns to lower property taxes since there could be more money for education available from the State. The Board of Selectmen adopted a resolution this year to return to the taxpayers as property tax relief any additional money that Arundel receives from the State as a result of Question 1. This actually could happen in the School budget provided the State funds the 55% initiative and the School Board applies those savings.

**What other states have similar tax cap proposals? What have been the results?**

Several other states have tax caps, but only one has a cap as severe and that is California. Each state is unique and the success of these caps is subject to debate and interpretation. California's Proposition 13 was used as the model for the Palesky tax cap (Question 1) and there appears to be general consensus that education in California has suffered. California has fallen from one of the highest achieving states in the nation in education to one of the lowest in the 25 years since Proposition 13 passed. In addition California had a \$7 billion surplus and proposition 13 only rolled back the valuation three years. Maine has no Surplus to cushion the effects of the tax cap and Question 1 rolls back the valuation 8 years. Another difference between Maine and California is that municipalities in California have the authority to levy local sales taxes – Maine communities cannot! Massachusetts is our only neighbor with a tax cap, but theirs is set at 2-1/2% (\$25 per \$1000). Only a handful of communities in Maine have a full value mill rate above 25 mills.

**Where can I get more information?**

- Ø A complete copy of the tax cap proposal is available at: [www.memun.org/resources/public/news/pp/question.htm](http://www.memun.org/resources/public/news/pp/question.htm)



## Proposed CHARTER AMENDMENTS

During September, the Selectmen appointed a Charter Review Committee and requested that we consider several items in the Charter for amendment. The Charter Review Committee met on September 16 and 23, and held a public hearing on September 30. The amendments and their rationales are summarized below to provide you with additional information before you cast your vote on November 2.

**Item 1:** Remove the role of “assessor” from the Selectmen’s responsibilities and include it in the duties of the Town’s full time Assessor.

**Rationale:** The Town now pays a qualified, full time Assessor. If a taxpayer has an issue relative to property taxes, it can be taken up directly with the Assessor and be resolved quickly and efficiently [rather than having to wait, possibly weeks, for the Selectmen to deal with it].

The newly established Board of Assessment Review, which is appointed by the Selectmen, should be fully independent of the Selectmen. This would not be so if the Selectmen continue to act as the Assessors.

**Item 2:** Change the Town Clerk from an elected to an appointed (hired) position.

**Rationale:** This would allow for a larger pool of qualified applicants whenever the position of Town Clerk is vacated. As an *elected* position, it can only be filled by a resident of Arundel who is a qualified voter. As an *appointed* position, someone who lived out of town could be hired, or a Clerk already hired by the Town would be free to move out of Arundel and retain the position.

In recent years, the duties of town clerks have expanded and, as a result, increased training, knowledge, and greater qualifications are required. A newly *elected* Clerk would require time to obtain the necessary credentials and certifications. During this time, services to the citizens would be compromised to some degree.

If the Town Clerk is an employee, the Town has the ability to ensure that the Clerk’s interpersonal skills and work ethic are compatible with residents and others working at the Town Office. Having an appointed Town Clerk removes the possibility of special interest groups controlling the position, since the hiring process would objectively focus on the qualifications of all possible candidates for the position.

**Note:** Our current Town Clerk supports this change in the Charter.

**Item 3:** Remove the Charter Committee as a standing committee.

**Rationale:** As provided for by provisions of the State Home Rule Statute, there is a procedure for dealing with any proposed or suggested Charter amendments or provisions without having a standing Charter Committee.

Since 1994, no one has run for or been elected by write-in vote to a position on the Charter Committee. As a result, there have been no elected Charter Committee members in Arundel for years.

**Item 4:** Add a Board of Assessment Review.

**Rationale:** At a recent special Town Meeting, a Board of Assessment Review was established by Arundel. This Board, along with its composition, qualifications, and duties, needs to be included in the Charter.

**Note:** This will provide Arundel taxpayers with a *local* [not county] Board to review and resolve assessment issues which could not otherwise be resolved with the Town Assessor.

**Item 5:** Allow *elected* officials of the Town (such as Selectmen and School Board members) to serve as *appointed* members of committees.

**Rationale:** For many committees, the input of elected officials (such as Selectmen) is vital. It is reasonable that these officials, who often attend the committee meetings anyway, be full committee members. Additionally, this will increase the pool of volunteers for Town committees.

**Note:** To avoid conflicts, elected officials may **not** be appointed to Arundel’s various Boards [Budget Board, Planning Board, Board of Appeals, or Board of Assessment Review] or any position for which compensation is paid.

The members of the Charter Review Committee, listed below, support these proposed Charter amendments.

Donna der Kinderen [chairperson], Paul Brouillard, Mary Anne Collard,  
Edgar Groome, Jr., Jake Hawkins, Florian Legros, Doris Taschereau, Darlene Welch



# Comprehensive Plan Update

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## Residential growth focused in areas of existing development

- Zoning boundaries would be redrawn to reflect existing development patterns.
- Residential areas protected from inappropriate business activities.
- Home businesses permitted throughout the town.

## Protection of Rural Features

- Farming operations protected from encroachment by residential development.
- Water quality in streams and Kennebunk River protected.
- Protection of freshwater wetlands expanded.
- Wildlife habitat protected
- Residential growth ordinance used to direct growth away from designated rural areas.

## Maintenance of Quality Town Services

- Improve fire and rescue capabilities.
- Provide a variety of affordable recreational opportunities.
- Provide adequate levels of police services.
- Plan for the long-term facility needs of the community.
- Periodically review the residential growth ordinance.

## Provide affordable housing opportunities

- Promote smaller housing unit by regulating subdivisions based upon the number of bedrooms in the dwelling
- Promote the upgrading of substandard housing.
- Require affordable and accessible housing in larger developments.



### Residence Checks Available

Well, another summer season is coming to an end. That means some of us will be leaving for winter homes or much needed vacations.

If your house or business will be vacant for a period of time and you'd like the Sheriff's Office to check on it from time to time while on routine patrol, please let us know. We'll need to know the dates the property will be vacant, a contact number you can be reached at while away, and any vehicles or visitors that have your permission to be there in your absence. If you're interested in taking advantage of this service please call me at the office at 985-8008, dispatch at 324-1046, or email me at [deputysheriff@adelphia.net](mailto:deputysheriff@adelphia.net)

Officer Matt Nadeau, York County Sheriff's Dept./Arundel Contract Deputy

## PREPARING FOR THE HOLIDAY'S

Wendy Lank, General Assistance/Social Services

It's hard to believe but the holiday season is just around the corner. Arundel is a fortunate town to have **four** great programs to offer.

**Thanksgiving Baskets** – I will be excepting requests for Thanksgiving Baskets starting October 18, 2004. If you are financially strapped it is hard to prepare for something as special as Thanksgiving. We are here to help families and seniors in town who would otherwise not be able to afford to have the traditional Thanksgiving Dinner. If you like to be placed on my list please call me no later than the 17<sup>th</sup> of November.



**Project Pilgrim** – This is an annual Thanksgiving dinner to ensure that all members of our community will enjoy a Thanksgiving dinner in the company of others. The volunteer staff prepares and serves a festive dinner, delivers dinners to the homes of community members and recipients of Meals on Wheels and also transports guests to the dinner held at St. Martha's Parish Hall on Thanksgiving Day. If you are interested in this program please give me a call in November and I can give you the time of the event.



**Secret Santa** – Secret Santa is entering its 17<sup>th</sup> year of providing gifts to children of families in need. The request forms will be available in my office starting on October 18<sup>th</sup>. All applications will need to be returned to me by November 15<sup>th</sup> so that the tags will be ready to be placed on the tree. On Monday, November 22<sup>nd</sup> the Town will have its tree set up in the Town Hall lobby with the tags bearing a "most wanted" or "needed" gift for a child. Anyone wishing to take a tag from the tree would need to purchase that item and return it back to the Town Hall no later than December 8<sup>th</sup>. After this date we will go out and purchase the items that have not been received so they can be boxed and distributed to the families the week before Christmas.

**Elder Elves** – This is a wonderful program that provides gifts to the elderly residents who live alone and do not have family around to provide them with Christmas Gifts. If you know of someone that falls into this category please give me a call with the name and address of that resident.





## Village Center - Questions & Answers

(Continued from Page 1)

### **Who has been paying for the Village Center planning so far?**

The Town has received two grants from the Maine State Planning Office that have financed most of the planning effort to date. The first grant was for \$50,000 and the town provided a \$10,000 match. The second grant was for \$5,000. Both the Town and the property owner provided a \$5,000 match.

### **Will the town be developing the Village Center?**

No. Development of the village center will be up to the property owner and private developers.

### **What costs will the town bear for the Village Center?**

The Town will pay for the sewage disposal system and a portion of the costs of street construction.

### **Are the taxpayers of Arundel going to pay for the Village Center?**

No. The town will be borrowing funds for the construction of sewage disposal. These funds will be repaid only by the owners of property within the Village Center, using a tax increment financing district.

### **What is Tax Increment Financing?**

Tax Increment Financing is a tool available to local governments to pay for public investment that promotes new growth. The public investment is paid back using the taxes generated by the new growth. The advantage to the town of using TIF is that the value of the new development is not included in the town's state valuation and therefore the town does not pay county tax on it and it is not included in the calculations for determining the amount of school funding the town receives from the state.

### **Who will be paying for the streets and utilities?**

The developers of the property, either the current owner, new owners or developers they select to partner with, will build the streets and install the utilities at their expense, as in other developments in the town. When standards for street construction in the Village center exceed those elsewhere in town, the Town will share a portion of the excess costs. However, the Town will not bear the cost of street construction and utility installation.

### **Will the Village Center Plan encourage business development?**

Yes. The plan calls for a mix of small retail, office, and other commercial uses clustered around a village green. The Plan responds to the concerns of the business community by working with developers to promote business development in the town.

### **What about traffic impacts?**

A preliminary traffic impact analysis conducted for the Planning Committee indicates that the projected uses in the Village Center will have minimal impacts on the operation of Route One and Campground Road. Additional turning lanes will likely be necessary on Route One. No improvements are likely to be required on Campground Road.

### **Won't the septic system pollute neighboring properties?**

First, the decision whether to have community septic system or use the Kennebunk Sewer district hasn't been finalized yet. Second, if a septic system is constructed it will have to be reviewed and licensed by the Maine Department of Environmental Protection and the Division of Health Engineering. Their standards assure that there are no off-site impacts.

### **Isn't the Village Center Plan an excuse to build a new town office?**

No. The decision to pursue the development of the village center has nothing to do with whether a new town office is needed or is built. However, the Town has recognized for many years that the current town office building is quickly becoming inadequate for today's needs. The need for a new town office exists, whether the Village Center is developed or not. The Village Center plans calls for a new town office to be located within the village center. The property owner has offered to donate land to the town for this purpose.

### **If Village Center Plan is adopted, what happens next?**

The town will need to continue to plan, and secure the funding sources necessary for the public investments. The town will also need to prepare amendments to the Land Use Ordinance to allow the plan to be implemented. These amendments will need to be approved by the voters. Nothing in the plan will go forward without voter approval.

### **Shouldn't we be improving the M. L. Day School or building a new school instead of developing a Village Center?**

The town's investment in the village center does not impact any decisions regarding the future of Arundel's school. The funds the town would be accessing for its share of the Village Center investment could not be used for school improvements. The town has already voted to remove the middle school students from M. L. Day. Once these grades are removed, the school department says no improvements are necessary to the school.

### **Won't the new homes overburden the school system?**

No. The new homes, particularly the duplexes and apartments in mixed-use buildings are likely to be units with 2 or fewer bedrooms. This size dwelling does not support a family with many school-aged children. The elementary enrollment in Arundel has held steady, even with all the new homes being built.

We hope these answers have been helpful. If you want more information about the village center plan, a copy of the complete Plan is available at the Town Office or can be reviewed and downloaded from the Town's website at [www.arundelmaine.org](http://www.arundelmaine.org). If you have further questions, please contact either Dan Fleishman, the Town Planner, or any member of the Village Center Planning Committee.



## November 2nd Election Day



Voting will be at the  
Arundel Central Fire Station  
at 468 Limerick Road.  
Polls will OPEN at 8:00 a.m.  
and CLOSE at 8:00 p.m.

No Political material allowed within  
250 feet of polls!

### Dog Licensing: New Licenses for 2005

Fees: Spayed /neutered: \$6.00

Capable of producing young: \$10.00

CURRENT Rabies Certificate Required

Neutering/Spaying Cert. for 1st time license

## Voter Registration Requirements

### Proof of Identification

(ID card or Maine Driver's license)

### And Proof of Residency

(Utility bill, government document that  
shows name and address)

As a result of a new law recently passed by the United States Congress, voters must now provide proof of their identity. This means that you **MUST provide proof of your identity to the Registrar of Voters. A photocopy of your current Maine driver's license, state identification card or other valid photo identification, or a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows your name and physical address (NOT a Post Office Box) all are acceptable as proof of your identity.**

**Register before Election Day to Avoid Delays!**

Town of Arundel  
468 Limerick Rd  
Arundel, ME 04046

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Arundel Resident  
Arundel, ME 04046

Visit the Town's Website [www.arundelmaine.org](http://www.arundelmaine.org)

Keep posted on meetings and events!

