

**TOWN OF ARUNDEL, MAINE  
BOARD OF SELECTMEN MEETING**

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**Monday April 26, 2021  
Arundel Municipal Building  
7PM  
Zoom**

- I. Call to Order
- II. Approval of Agenda
- III. PUBLIC HEARING FUTURE OF OLD TOWN HALL
- IV. PUBLIC HEARING SPECIAL AMUSEMENT LICENSE BENTLEY'S SALOON
- V. Public Forum – Public comment on non-agenda items
- VI. Approve Minutes of April 12, 2021
- VII. Committee and Board Reports
- VIII. Manager's Report
  - Landscaping RFP
  - Quit Claim Deed Draft
  - Resignation/Planning Board Member
  - Votes cast at joint meeting 4-14-21
- IX. Business
  - Sheriff King follow-up of March 31, 2021 Letter
  - Pole Permit River Road
  - Renewal Application Liquor, Wine, Spirits Bentley's Saloon
  - Renewal Application Liquor, Wine, Spirits Vinegar Hill Music Theatre
  - Discussion on Municipal Charter
  - Approval of Accounts Payable Warrant
- X. Other Business /Adjournment

# TOWN OF ARUNDEL

468 LIMERICK RD ARUNDEL MAINE 04046 (207) 985-4201 FAX (207) 985-7589

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BUSINESS MEETING April 26, 2021

## EXECUTIVE SUMMARY

BOS Members: The purpose of this summary presented is to give you some information over and above just the mentioning of the subject matter on the agenda. It is my hope that this information assists you in your decision making.

### **PUBLIC HEARING FUTURE OF OLD TOWN HALL**

Again hoping to gather further comment from the general public as to their opinion on what should be done with the Old Town Hall. Note\* in the ARROW the memo from the Planner & Code Enforcement Officer was included to provide some insight to the public of some possible option even though they are very limited.

### **PUBLIC HEARING SPECIAL AMUSEMENT LICENSE BENTLEY'S SALOON**

The Special Amusement Permit is to provide Bentley's Saloon the ability to offer Live Music and Karaoke at the establishment on certain days, times and various locations upon the property.

### **MANAGERS REPORT**

- Landscaping RFP: With spring upon us I have mailed out request for proposal for some general maintenance to our Municipal Building Landscaping. I have attached the RFP for information.
- Quit Claim Deed: A draft has been prepared for the Unit #11 located on Portland Road. Review comment and/ or modification prior to final approval and signing.
- Planning Board member Jens-Peter Bergen has submitted his resignation (see attachment). I will be looking for a replacement for his term which expires in 2023 and am seeking folks interested in serving. I presently have an application for consideration but before recommending an appointment would like to have more residents interested in serving.
- Votes cast at meeting 4-14-21: At this joint meeting I have a question on the votes cast by the Board of Selectmen and am seeking clarity.

### **BUSINESS**

- Letter from Sheriff King: I have attached the letter. In a nut shell they are short handed with patrol sheriff's and would like to be flexible and utilize our patrol deputies when the need arises. Sheriff King will be at your meeting on Monday.
- Pole Permit River Road: The permit has been reviewed by staff and approved. A vote is required by the Board on the request.

-Renewal of Liquor License: Bentley's Saloon is requesting a renewal, staff has signed off on renewal. The Complete application will be presented at the meeting.

-Renewal of Liquor License: Vinegar Hill Music Theatre is requesting a renewal, staff has signed off on the renewal. The complete application will be presented at the meeting.

-Discussion of Municipal Charter: Some questions have popped up over the years and the Board needs to determine if these various issue rise to revisions in the Charter and proceeding under MRSA 30-A (2102) (see attachment). I will provide a copy of the Charter for review at your meeting on the 26<sup>th</sup>.

## **ADJOURNMENT**

**TOWN OF ARUNDEL  
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

1. Applicant's Name: BENTLEY WARREN / LISA ZATALAVA  
Resident Address: 345 OLD POST RD., ARUNDEL, ME Home Phone 386-882-5915  
If less than 5 years list former addresses \_\_\_\_\_

2. Name of Business: BENTLEY'S SALOON Bus. Phone 207-985-8966  
Business Address: 1601 PORTLAND RD., ARUNDEL, ME Tax Map. 30 Lot 32A

3. Nature of Business: SALOON # RESTAURANT

4. Describe in detail the kind and nature of entertainment/ers proposed and hours/days of operation:  
LIVE MUSIC, KARAOKE - SUNDAYS 9am-9pm, MON # TUES 11am-9pm, WED # THURS. 11am-10pm, FRIDAY 11am-11pm, SATURDAYS 9am-11pm (COVID REGULATIONS MAY CHANGE DAYS/TIMES)

5. Describe the location or rooms to be used under this permit: ON THE PREMISES OF 1601 PORTLAND RD., MAINLY WITHIN THE STAGE AREAS IN COURTYARD # REAR BUILDING ON THE NORTHERN END OF THE PROPERTY (COVID REGULATIONS MAY CHANGE LOCATIONS, i.e. OUT vs. IN)

6. Has the applicant ever had a license to conduct business herein described, either denied or revoked?  
YES \_\_\_ NO X. If yes, describe circumstances \_\_\_\_\_

7. Has applicant including any partner or corporate officers ever been convicted of a felony?  
YES \_\_\_ NO X. If yes, please describe circumstances \_\_\_\_\_

8. Attach a copy of applicant's current liquor license. Expiration date of current liquor license: 6/24/21

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments thereto and that all the information is true and complete. I authorize the Town of Arundel, through its designated officials, to enter the property (including buildings and accessory structures) that is the subject of this application, at reasonable hours, to determine the accuracy of any information provided herein and to determine the state of compliance with conditions of the permit. I am aware that there are significant penalties for submitting false information, including the possibility of fines, imprisonment and revocation of license.

FEE OF \$50.00 (plus advertising + \$70.00) MUST ACCOMPANY THIS APPLICATION.

DATE: 4/20/2021

Bentley Warren  
Signature of Authorized Applicant  
BENTLEY'S SALOON, LLC.  
Name of Corporation  
(If Corporation, Authorized officer)

(Place Corporate Seal)

=====

**APPLICATION MUST BE SIGNED BY A MAJORITY OF THE MUNICIPAL OFFICERS**

\_\_\_\_\_  
\_\_\_\_\_  
DATE: \_\_\_\_\_

**TOWN OF ARUNDEL  
BOARD OF SELECTMEN**

Monday April 12, 2021  
Arundel Municipal Building  
7 PM

Members present: Selectmen Tom Danylik, Phil Labbe, Velma Hayes, Jason Nedeau, Dan Dubois

Others: TM Trefethen, Priscilla Coffin, Matt Taschereau, Jack Reetz, Scott Benezra (Zoom)

**Call to Order:** Chairman Hayes called meeting to order @ 7:00 PM

**Approval on Agenda:** *MOTION Nedeau second Dubois “approve agenda as amended” passed 5-0 (RSU Committee & Board Reports, Discuss Food Truck)*

**PUBLIC HEARNG ON FUTURE OF OLD TOWN HALL**

Meeting was opened by Chairman Hayes @ 7PM. Mrs. Coffin discussed the multiple uses of the building. Mr. Reetz discussed the importance of understanding the cost to re-use to explain to all the reason why the building was left and a new building was constructed. Public Hearing ended at 7:10PM.

**PUBLIC HEARING ON FOOD TRUCK APPLICATION /INDEPENDENCE  
FOOD TRUCK Portland Road Map 29 Lot 20N**

Opened by Chairman Hayes at 7:11PM

Application was reviewed and all the paperwork submitted seemed to be in order. Questions on Inspection once the truck was placed on location will be shared with the Code Enforcement Officer. Closed at 7:12PM Action on approval will be taken under Business

**PUBLIC FORUM**

Matt Taschereau discussed with the Board the importance to maintaining the Town Public Park (Gilliam Field) as portions of the grass area has been exposed as a result of grub infestation. Board would like to have a plan submitted by an experience landscaper for a plan to maintain.

**Approval of Minutes:** *MOTION Dubois second Labbe “approve minutes of March 22, 2021 as presented and reviewed” passed 5-0.*

**Committee & Board Report:** Selectmen Dubois discussed matters that took place at the recent school board meeting. Chairman Hayes discussed matters that took place at the RSU Finance Committee meeting and provided the town reports related to the expenditure of COVID Funds.

**Managers Report:**

- Meeting Budget Review: Town Manager updated the Board on the install of the water system and the affect of salt on the leach field.
- The Manager shared information on the formula and process to identify Liquid Asphalt prices and how the overall process may limit paving projects.

**Business:**

- Food truck: *MOTION Nedeau second Dubois “approve Food Truck Application as reviewed during the Public Hearing” passed 5-0.*
- Sale of Tax Acquired Property” Two bids were received and read by Chairman Hayes. Bid for \$10,584.00 submitted by Emily Nedeau. Bid for \$11,111 from Scott Benerza of Stovocorp LLC. *MOTION Nedeau second Dubois “accept the bid of Scott Benerza of \$11,111 for the purchase of Tax Acquired property at 1226 Portland Road Unit #11” passed 5-0.*
- Letter from Sheriff King: A March 31, 2021 letter from the Sheriff was read. He is asking for Arundel to allow their Contract Deputies to cover a larger area during their shifts as a result of staff shortages. The Board requested that the Manager invite Sheriff King to their next meeting so as they have the opportunity to discuss with him.
- Liquor License Renewal Fraternal Order of Eagles: *MOTION Dubois second Nedeau “approve as submitted and reviewed” passed 5-0.*
- Town Report: *MOTION Dubois second Danylik “approve the request from the Town Clerk to publish the Town Report in a 8 ½ by 11 format” passed 5-0.*
- Application for Gilliam Field Use: *MOTION Dubois second Labbe “approve and have the Chairman Sign the Application for field use from the Kennebunk-Arundel-Kennebunkport Little League” passed 5-0.*
- Payable Warrant- *MOTION Nedeau second Dubois “approve payable warrant as presented and reviewed” passed 5-0.*

**Further Business**

Selectmen Dubois asked to have some discussion on the Charter at the next meeting.

**EXECUTIVE SESSION**

**MOTION Dubois second Nedeau “enter executive session under MRSA 405 (6) (A) for a discussion with the Town Manager on performance” passed 5-0 @ 8:18PM**

**MOTION Nedeau second Labbe “end executive session” passed 5-0 @ 8:56PM.**

**No action taken**

**ADJOURNMENT *MOTION Nedeau second Dubois “to adjourn” passed 5-0 @ 8:56PM***

Respectfully submitted,

Keith M. Trefethen  
Town Manager

## REQUEST FOR PROPOSALS

### Landscaping Maintenance

The Town of Arundel is requesting proposals for Landscaping Maintenance at the New Municipal Building. Proposals will be accepted by the Town until May 10, 2021 @ 4PM. The Board of Selectmen will open proposals at their meeting that evening @ 7PM @ the Arundel Municipal Building, Meeting Room in Arundel, Maine.

Proposals will be submitted to Keith M. Trefethen, Town Manager 257 Limerick Road, Arundel, Maine 04046. Proposals should be clearly marked Landscaping Maintenance, meeting the following criteria.

1. Weed around Mulch areas as needed
2. Replace/refresh Mulch Beds once a year.
3. Maintain Shrubbery and Trees as needed.

List consist of

- (14) Deciduous Trees
- (42) Evergreen Trees
- (5) Flowering Trees
- (160) Shrubs

4. All mowing and maintaining of grass area will be performed by the Town of Arundel.

5. The proposal shall provide pricing for maintenance as requested. The town reserves the right to reject any and all proposals.



\_\_\_\_\_  
Space Above This Line For Recording Data  
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**QUIT CLAIM DEED WITHOUT COVENANT**

KNOW ALL PERSONS BY THESE PRESENTS, that **TOWN OF ARUNDEL**, a municipal corporation existing under the laws of the State of Maine and located in the County of York, State of Maine, with a mailing address of 257 Limerick Road, Arundel, Maine 04046, hereby grants to **Stovocorp LLC** with a place of business in West Kennebunk, York County, State of Maine, having a mailing address of PO Box 215 West Kennebunk, Maine 04043 with QUIT CLAIM WITHOUT COVENANT, a certain lot or parcel of land situated in Arundel, York, Maine being the same premises conveyed to the Town of Arundel as recorded on **July 22, 2019** in the York County Registry of Deeds **Book 18000, Page 72** .

The Inhabitants of the Municipality of Arundel have caused this instrument to be signed in its corporate name by Jason Nedeau, Thomas Danylik, Daniel Dubois, Velma Jones Hayes, Philip Labbe, its Municipal Officers duly authorized.

Witness our hands and seals this 3<sup>rd</sup> day of May, 2021.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Municipal Officers of Arundel, Maine

**ACKNOWLEDGEMENT**

State of Maine  
County of York, ss

Date: \_\_\_\_\_

Then personally appeared before me the above-named Jason Nedeau, Thomas Danylik, Daniel Dubois, Velma Jones Hayes, Philip Labbe, Municipal Officers of the Municipality of Arundel, and acknowledged the forgoing to be their free act and deed in their said capacity and the free act and deed of the Inhabitants of said Municipality.

Before me,

\_\_\_\_\_  
Emily Nedeau  
Notary Public  
My commission expires: May 31, 2026

**Jens-Peter W. Bergen**  
*Attorney at Law*  
79 Portland Road  
Kennebunk, ME 04043

(207) 985-6789 (Voice)  
(207) 985-6163 (Fax)  
E-Mail Address: jwbergen@mainelawyer.net

Trials in Maine Courts  
Maine Bar No. 3930

April 15, 2021

Mr. Richard Ganong, Chairman  
**Arundel Planning Board**  
257 Limerick Road  
Arundel, Maine 04046

**RE: RESIGNATION FROM THE PLANNING BOARD**

Dear Rich,

Please accept this as notice of my resignation from the Planning Board, effective immediately. I have thoroughly enjoyed my tenure as a member of the Planning Board and am grateful for the opportunity to have served the residents of the Town of Arundel in this fashion. I am grateful to have worked with each of my fellow Board members from beginning to end, none excepted, whose insights, commitment and collegiality I greatly appreciated; and for your leadership on the Board. I am thankful, too, for the invaluable guidance provided by the Town Planner, Tad Redway, during my period of service.

Kind regards,

Jens-Peter W. Bergen

JPB/bb

cc: Mr. Keith Trefethen, Arundel Town Manger



# York County Sheriff's Office

*Sheriff William L. King Jr.*

**Jeremy D. Forbes**  
*Chief Deputy*

**Michael B. Vitiello**  
*Jail Administrator*

**Paul G. Mitchell**  
*Major*

**Daniel R. Bean**  
*Captain*

**Carl L. Ronco**  
*Captain*

**Mike S. Grovo**  
*Civil Supervisor*

**Brad G. Sanders**  
*Office Manager*

Administration,  
Police & Civil Division  
1 Layman Way  
Alfred, Maine 04002  
207-324-1113  
Fax: 324-3496  
Corrections Division  
**Kelly J. Burnham**  
*Administrative Secretary*  
207-324-9001  
Fax: 459-2562

March 31, 2021

Dear Town Leader,

Thank you for partnering with the York County Sheriff's Office to provide excellent policing services to your respective communities. We hope you continue to find our contract deputy services acceptable and worthy of the additional cost. As you may be aware, law enforcement is under intense scrutiny these days and the profession is being affected by much-needed criminal justice reform. That said, many law enforcement agencies and correctional services are scrambling for employees – and the sheriff's office is no exception.

Since February 2021, the sheriff's office has experienced two retirements, three transfers, and one indefinite military deployment. These staffing challenges, the COVID Pandemic, and the closure of the Maine Criminal Justice Academy has greatly affected our staffing levels.

In the spirit of partnership, we are asking for your flexibility. Periodically, we would like to reassign your contract deputy for entire shifts to patrol larger areas (to include your town) to lessen the workload of the patrol force. We will ensure that your town is not charged for the time your contract deputy is not solely concentrating on your community. If possible, we will alert you in advance, but we may need to redeploy your officer at the last minute. Please understand that your town will still have police coverage and if your contract deputy is working, he will most likely respond to a call for service in your town because he is familiar with the issues.

This is a temporary situation and should only last for two or three months. We have identified two seasoned law enforcement professionals who we will present for hiring and we have secured a spot at the August, 2021 Academy for another new hire. Please understand that we value our partnership and contract towns add greatly to our policing services. If you have any questions or would like me to attend a Select Board meeting, to explain our position, I will gladly accommodate you. Thank you in advance.

Sincerely,

William L. King Jr  
Sheriff  
York County Sheriff's Office

RECEIVED 4-21-21 (RP)

Notification: 10300749447

Work Order: 801000367463

LOCATION PERMIT

Consolidated Comm of Northern New England

Upon the Application of Center Maine Power Company and Northern New England Telephone Operations LLC,

dated Feb 10, 2021, asking for permission, in accordance with law, to construct and

maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances

over, under, along or across certain highways and public roads in the location described in said application,

permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location,

said facilities and appurtenances in the City / Town of Arundel

approximately located as follows:

- 1. Starting Point: Pole # 62
- 2. Road (State & CMP): River Road
- 3. Direction: West
- 4. Distance: 175' feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Municipal Officers

Office of the \_\_\_\_\_

Received and Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk

# Town of Arundel

468 Limerick Road, Arundel, ME 04046 Tel: (207) 985-4201 Fax: (207) 985-7589

Date: April 22, 2021

Name: Bentley's Saloon, LLC

Business: Restaurant/Bar/Live Music

Address: 1601 Portland Rd

Location: 1601 Portland Road, Arundel

I have reviewed the following application for:

**Renewal of Malt, Vinous and Spirituous Restaurant Liquor License**

and APPROVE / DENY the application

Reason(s) for denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Signature

James Nagle  
Arundel CEO

# Town of Arundel

468 Limerick Road, Arundel, ME 04046 Tel: (207) 985-4201 Fax: (207) 985-7589

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Date: April 22, 2021

Name: Vinegar Hill, LLC

Business: Live Theater w/ Malt Liquor, Wine & Spirits

Address: 53 Old Post Rd Arundel

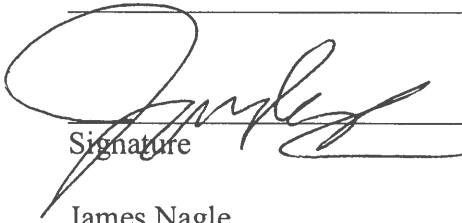
Location: 53 Old Post Rd, Arundel

I have reviewed the following application for:

**Renewal of Malt, Vinous and Spirituous Restaurant Liquor License**

and APPROVE / DENY the application

Reason(s) for denial: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Signature

James Nagle  
Arundel CEO

**Title 30-A: MUNICIPALITIES AND COUNTIES**

**Part 2: MUNICIPALITIES**

**Subpart 2: ORGANIZATION AND INTERLOCAL COOPERATION**

**Chapter 111: HOME RULE**

**§2102. Charter revisions, adoptions, procedure**

**1. Municipal officers.** The municipal officers may determine that the revision of the municipal charter be considered or that adoption of a new municipal charter be considered and, by order, provide for the establishment of a charter commission to carry out that purpose as provided in this chapter.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**2. Petition by voters.** On the written petition of a number of voters equal to at least 20% of the number of votes cast in the municipality at the last gubernatorial election, but in no case less than 10, the municipal officers, by order, shall provide for the establishment of a charter commission for the revision of the municipal charter or the preparation of a new municipal charter as provided in this chapter.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**3. Petition procedure.** The following procedure shall be used in the alternative method set out in subsection 2.

A. Any 5 voters of the municipality may file an affidavit with the municipal clerk stating:

- (1) That the 5 voters will constitute the petitioners' committee;
- (2) The names and addresses of the 5 voters;
- (3) The address to which all notices to the committee are to be sent; and
- (4) That the 5 voters will circulate the petition and file it in proper form.

The petitioners' committee may designate additional voters of the municipality, who are not members of the committee, to circulate the petition.

Promptly after the affidavit is filed, the clerk shall issue petition blanks to the committee. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. The municipal clerk shall prepare the petition forms at the municipality's expense. The petition forms must be printed on paper of uniform size and may consist of as many individual sheets as are reasonably necessary.

- (1) Petition forms must carry the following legend in bold lettering at the top of the face of each form.  
"Municipality of ...."

In the instance of preparing a new charter, the lettering at the top of the form must read: "Each of the undersigned voters respectfully requests the municipal officers to establish a Charter Commission for the purpose of preparing a New Municipal Charter."  
In the instance of revising a charter, the lettering at the top of the form must read: "Each of the undersigned voters respectfully requests the municipal officers to establish a Charter Commission for the purpose of revising the Municipal Charter."

Each signature to a petition must be in ink or other indelible instrument and must be followed by the residence of the voter with street and number, if any. A petition may not contain any party or political designation.

- (2) The clerk shall note the date of each petition form issued. All petitions must be filed within 120 days of the date of issue or they are void.
- (3) Each petition form must have printed on its back an affidavit to be executed by the circulator, stating:

- (a) That the circulator personally circulated the form;
- (b) The number of signatures on the form;
- (c) That all the signatures were signed in the circulator's presence;
- (d) That the circulator believes them to be genuine signatures of the persons whose names they purport to be;
- (e) That each signer has signed no more than one petition; and
- (f) That each signer had an opportunity to read the petition before signing. [PL 2019, c. 149, §1 (AMD).]

C. Petition forms shall be assembled as one instrument and filed at one time with the clerk. The clerk shall note the date of filing on the forms.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 2019, c. 149, §1 (AMD).]



**4. Procedure after filing.** Within 20 days after the petition is filed, the clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars which render it defective. The clerk shall promptly send a copy of the certificate to the petitioners' committee by mail and shall file a copy with the municipal officers.

A. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within 2 days after receiving the copy of the clerk's certificate.

Within 10 days after this notice of intention is filed, the committee may file a supplementary petition to correct the deficiencies in the original. This supplementary petition, in form and content, must comply with the requirements for an original petition under subsection 3. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. Within 5 days after a supplementary petition is filed, the clerk shall complete and file a certificate as to its sufficiency in the manner provided for an original petition. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. When an original or supplementary petition has been certified insufficient, the committee, within 2 days after receiving the copy of the clerk's certificate, may file a request with the municipal officers for review.

The municipal officers shall inspect the petitions in substantially the same form and manner as a recount under section 2531-B.(./30-A/title30-Asec2531-B.html) and shall make due certificate of that inspection. The municipal officers shall file a copy of that certificate with the municipal clerk and mail a copy to the committee. The certificate of the municipal officers is a final determination of the sufficiency of the petitions. [PL 2011, c. 255, §1 (AMD).]

D. Any petition finally determined to be insufficient is void. The clerk shall stamp the petition void and seal and retain it in the manner required for secret ballots. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 2011, c. 255, §1 (AMD).]

**5. Election procedure.** Within 30 days after the adoption of an order under subsection 1 or the receipt of a certificate or final determination of sufficiency under subsection 4, the municipal officers shall by order submit the question for the establishment of a charter commission to the voters at the next regular or special municipal election held at least 90 days after this order.

A. The question to be submitted to the voters must be in substance as follows:

In the instance of establishing a new charter, the question must read: "Shall a Charter Commission be established for the purpose of establishing a New Municipal Charter?"

**In the instance of revising a charter, the question must read: "Shall a Charter Commission be established for the purpose of revising the Municipal Charter?"**

[PL 2019, c. 149, §2 (AMD).]

[PL 2019, c. 149, §2 (AMD).]

#### SECTION HISTORY

PL 1987, c. 737, Pt. A, §2 (NEW). PL 1987, c. 737, Pt. C, §106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, Pt. C, §§8, 10 (AMD). PL 1993, c. 608, §4 (AMD). PL 2011, c. 255, §1 (AMD). PL 2019, c. 149, §§1, 2 (AMD).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

[Office of the Revisor of Statutes \(mailto:webmaster\\_ros@legislature.maine.gov\)](mailto:webmaster_ros@legislature.maine.gov) 7 State House Station - State House Room 108 - Augusta, Maine 04333-0007

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