

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

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**Monday July 12, 2021
Arundel Municipal Building
7PM**

- I. Call to Order
- II. Approval of Agenda
- III. Public Forum – Public comment on non-agenda items
- IV. Approve Minutes of June 28, 2021
- V. Committee and Board Reports
- VI. Manager’s Report
 - CMP Electricity Credit Use
 - Old Town Hall Building
- VII. Business
 - Acoustics Panels Municipal Building Meeting Room
 - Remote Participation in Public Proceedings
 - Approval of Accounts Payable & Payroll Warrants
- IX . Other Business /Adjournment

TOWN OF ARUNDEL

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

BUSINESS MEETING July 12, 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.

MANAGERS REPORT

-CMP Credit Use: We are in the process to complete the use of the credits we have for from the Town's Solar Array. We will assign a percentage to our other public properties based on the amount of credits we accumulate and the use of those properties of electricity.

-Old Town Hall Building: At this writing still a work in progress I will provide an update at your meeting.

BUSINESS

-Panels for meeting Room: They are expected to be delivered on Friday the 9th. It is my hope that we can view them and develop a plan for installation.

-Remote Participation in Public Proceedings: The Legislature has approved a law that will allow Public Proceedings to be held remotely for the membership in certain circumstances. For town to take advantage of this option a policy must be developed and approved after notice and public hearing. Maine Municipal Association developed a draft policy for consideration based on the statute. For your consideration I have provided a sample for discussion and hopefully some decisions as I would like to coordinate an approval of a policy at your meeting on the 28th.

ADJOURNMENT

**TOWN OF ARUNDEL
BOARD OF SELECTMEN**

Monday June 28, 2021
Arundel Municipal Building
7 PM

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

Others: TM Trefethen, CEO Jim Nagle, Town Attorney Leah Rachin

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

MOTION Dubois second Labbe “enter executive session under MRSA 1 405 6 (E) to discussion with Town Attorney and CEO on Dangerous Building” passed 5-0 @ 7PM.

MOTION Nedeau second Dubois “end executive session” passed 5-0 @ 7:43PM

MOTION Dubois second Hayes “authorize Town Attorney to write letter to owner of property seeking out his future intent in addressing the property and authorize the Attorney to review the title and liens upon the property” passed 5-0

Approval on Agenda: *MOTION Nedeau second Hayes “approve agenda as amended” passed 5-0. (added discussion on Zoom Meetings, Transfer Station & Microphones for Meeting room).*

PUBLIC FORUM

-No comments

Approval of Minutes: *MOTION Dubois second Labbe “approve minutes of June 14, 2021 as presented and reviewed” passed 5-0.*

Committee & Board Report: No Discussion

Managers Report:

-CMP Rate Discussion: Manager provided information on the CMP rebate the Municipal Building received on the Demand Charge and informed the BOS of the Credit that will be distributed to the Fire Station and Public Works with this credit.
-Old Town Hall: Manager is gathering information on cost to demolish building.
Board took the following formal action ***MOTION Dubois second Nedeau***

“authorize Town Manager to seek all cost for the proper demolition and removal of the Old Town Hall” passed 5-0.

-Re-Use Room @ Transfer Station: Manager shared the feedback he had received from folks who contacted him. Major thought of the Selectmen was if it is to again be opened that someone monitors the room while opened and that parking of folks entering the re-use room needs to be addressed. Still a work in progress.

Business:

- Acoustics, Meeting Room: Manager proposed the purchase of acoustics panel on our own as opposed to the General Contractor of building. He provided some samples of panels he thought appropriate. ***MOTION Dubois second Nedeau “purchase 1 large set and 1 medium set from the samples provided” passed 5-0.***

-Approval of Quit Claim Deeds ***MOTION Nedeau second Hayes “Sign quit claim for Map 4 Lot 6” passed 5-0 MOTION Nedeau second Dubois “Sign quit claim deed for Map 4 Lot 37 A07” passed 5-0.***

-Financial Audit 6/30/20: Board reviewed again and discussed in General the Fund Balance and perhaps utilizing additional Fund Balance in future budget procedures.

-MOTION Nedeau second Hayes “approve Payable and Payroll Warrants as presented and reviewed” passed 5-0.

OTHER BUSINESS: Selectmen Dubois asked about the continuation of Zoom meetings (need a policy), concerns of staff at Transfer Station (Casella) speaking with the general public, and the purchase of area microphones for the meeting room instead of the one direction microphones presently being used. Board felt that Selectmen Dubois should proceed .

ADJOURNMENT *MOTION Nedeau second Dubois “to adjourn” passed 5-0 @ 8:39PM*

Respectfully submitted,

Keith M. Trefethen
Town Manager

REMOTE PARTICIPATION POLICY

Town of Arundel Board of Selectmen & Planning Board

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Dated: _____

Signed: Arundel Board of Selectmen

Remote Board Meetings Now OK'd Permanently

The Legislature has made remote participation in public board meetings permissible on a permanent basis, but only under limited circumstances. PL 2021, c. 290, was enacted as an emergency measure and took effect on June 21, 2021, with the Governor's signature. It adds a new provision (§ 403-B) to Maine's Freedom of Access Act or FOAA (1 M.R.S. §§ 400-414).

Meanwhile, FOAA's temporary provision (§ 403-A) authorizing remote participation in public board meetings during the COVID-19 pandemic remains in effect until July 30, 2021.

Under the new law board members are expected to be physically present for meetings, but may attend board meetings via remote methods of participation in the case of an emergency or urgent issue that requires the board itself to meet remotely, or an illness or temporary absence that causes a board member significant difficulties in traveling to a meeting.

The public must have a meaningful opportunity to attend via remote methods when board members participate via remote methods. If public input is allowed or required at a meeting, an effective means of communication between the board and the public must also be provided. A board must provide a location where members of the public may attend in person. A board may not limit public attendance to remote methods only except in case of an emergency that requires the board itself to meet remotely.

Remote methods include telephonic or video technology allowing simultaneous reception of information and also permits other means necessary to accommodate disabled persons. But remote participation cannot be by text-only means such as e-mail, text messages, or chat functions

To enable remote participation, a board must first, after public notice and hearing, adopt a written policy governing remote participation by board members and the public that contains the limitations noted above.

Notice of all board meetings is required as usual (see § 406). When the public may attend via remote methods, notice must include the means by which the public may access the meeting remotely, and a location for the public to attend in person (except in case of an emergency).

A board must make all documents and materials to be considered by the board available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the board.

All votes during a board meeting using remote methods must be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other board members and the public. A board member who participates remotely is considered present for purposes of a quorum and voting.

Remote participation is not permitted for town meetings or regional school unit budget meetings.

As we noted above, FOAA's temporary provision authorizing remote board meetings, which does not require adoption of a local policy, remains in effect until July 30, 2021 (see § 403-A). After that date, boards are not authorized to permit remote participation without first adopting a written policy in compliance with the new law (see § 403-B). For a sample remote participation policy, see this link: _____ (By R.P.F.)