

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

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**Monday December 13, 2021
Arundel Municipal Building
6:30PM Executive Session
7PM
Zoom Taping**

Executive Session : 405 (6) (E) Discussion with Town Attorney

- I. Call to Order
- II. Approval of Agenda
- III. Public Forum – Public comment on non-agenda items
- IV. Approve Minutes of November 22, 2021
- V. Committee and Board Reports
- VI. Manager's Report
 - Transfer Station Issue
 - Cost Recovery w/Fire Chief
 - Medical Director for Arundel Fire -Rescue
 - Special Town Meeting Draft
 - Arundel Street Design & Construction Ordinance
- VII. Business
 - Development of purchasing policy
 - Status School Board Member Appointment
 - Paid State Holiday Juneteenth
 - Crediford Cemetery
 - Approval of Accounts Payable Warrant
- IX. Other Business /Adjournment

TOWN OF ARUNDEL

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

BUSINESS MEETING December 13, 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.

EXECUTIVE SESSION

The Town Attorney will be here in Arundel @ 6:30PM to discuss with you the options available to you to address the Dangerous Building and Junkyard on property located on Proctor Road.

MANAGERS REPORT

-Transfer Station Issue: Met with Casella Official. A new leadership group has been organized by Casella in our geographic area. They wanted to discuss with us their review of the operation and will return to the town with options of improvement. Their quick observations had to do with our scale system, collecting funds before folks are able to dump, limiting the demo to be deposited at the facility and their inability to secure reliable employees for the facility. They are planning to meet with us again before the Christmas Holiday and propose some changes at the facility.

-Cost Recovery w/ Chief Beaulieu: I provided to you at your last meeting materials related to this Cost Recovery Program. Essentially this program would provide a financial avenue to collect from insurance companies for Motor Vehicle Accidents in Arundel.

-Medical Director for Arundel: Maine EMS which regulates state wide EMS providers has modified their rules for those local EMS Providers offering services above the basis level (Advanced and/or Paramedicine) and as of 1-1-22 to have a Medical Director. The Chief provided a Memorandum of Agreement that has been given to the Town Attorney for review changes and comment prior to having an agreement ready for your review and approval.

-Special Town Meeting: I will provide a Draft Warrant for you to view. *Note because of a lack of a quorum the Budget Board has yet to view and/or vote on the matter. They are scheduled for a review on Wednesday 12-15-21 before the Charter Review meeting.

-Arundel Street Design and Construction Ordinance: The Planner along with the Code Enforcement Officer and the Public Works Superintendent have reviewed a section of the Ordinance under "Exempt Private Way Review Procedures" and would like to make a recommendation for a change in procedure as it relates roadways already constructed. This is the first time you will view the change and the Planner is available to discuss when warranted.

BUSINESS

- Development of purchasing policy: I provided a draft policy at your last meeting. I expect some changes and modification as we work through this.

-School Board appointment: Presently I have four people that have contacted me to serve. Need to establish how you wish to proceed to select a replacement member.

-State Holiday Juneteenth: I have provided to you a proposed change in the Personnel Policy to recognize Juneteenth as floating Holiday. Again I expect discussion to follow.

-Crediford Cemetery: Selectmen Hayes wishes to have some discussion on the subject matter.

ADJOURNMENT

**TOWN OF ARUNDEL
BOARD OF SELECTMEN**

Monday November 22, 2021
Arundel Municipal Building
7 PM

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

Others: Town Manager Keith Trefethen, Resident Jack Reetz

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

Approval on Agenda: *MOTION Nedeau second Dubois “approve agenda as amended” passed 5-0. (RSU #21 Update MOU with RSU#21 and needed consent)*

PUBLIC FORUM

-No comments

Approval of Minutes: *MOTION Hayes second Dubois “approve minutes of November 8, 2021 as presented” passed 5-0.*

Committee & Board Report: Selectmen Hayes provided financial information with regard to the recent RSU #21 meeting. Selectmen Dubois mentioned some recall efforts underway for School Board members in Kennebunk.

Managers Report:

- Transfer Station Issue: Manager informed the Board of a ZOOM meeting with Casella scheduled for the Tuesday the 23rd to discuss lack of accepting Trash at the Transfer Station two weeks ago Saturday and efforts to address this issue and others moving forward.

-Gilliam Field Upgrade: Efforts undertaken by the local Little League and local businesses has resulted in a complete renovation of the Baseball Field at Gilliam Field. Most of this work with the exception of materials (purchase by the Little League) was donated by the following businesses Labbe Excavating, West Property Management, Parker Landscaping, & Winding Brook Turf Farm. On behalf of the Town, the Manager will be provided a thank you to these folks for their assistance and efforts on this field.

-DEMO Estimate 468 Limerick Road: After discussion with Selectmen Labbe an updated version of an estimate for building tear down was created. The version places \$10,000 additional dollars as a contingency to provide funding if the asbestos mitigation reaches the \$24,000 estimate. Board of Selectmen wish for the manager to precede and establish a date for a Special Town Meeting in order to achieve voter approval for this project.

Business:

- Purchasing Policy: A draft was presented to the Board for review. Action was tabled until the BOS can review and make comment at their next meeting.

-Resignation of School Board member: BOS accepted the resignation of Todd Shea from the RSU #21 School Board. Selectmen wish to place a request to serve on the Website and seek any and all folks interest in filling this vacate position.

-Paid State Holiday Juneteenth: The Board of Selectmen is looking to establish Juneteenth as a Floating Holiday for Arundel employees. The Town Manager will provide some language for review that may create this floating holiday scenario.

-Dangerous Building: A report and photos were shared with the Board as it pertains to a site in Arundel that has a Dangerous Building that was occupied but no longer is and accumulated materials outside that create a junkyard. Manager was directed to contact the Town Attorney to view various options for enforcement. Manager also mentioned that the ownership of the property does not have the financial where were all to correct site and this may fall on the town to proceed and lien property to recoup expenses.

-Chairman Danylik discussed with the Board members the effort to be put forth to establish the Recreation Department Before & After School program as a “school based program” in order to be consider for COVID -19 safety protocols.

Drummond & Woodsum represents both entities (RSU #21 & Town of Arundel) and in order for them to assist us all it requires informed consent from all parties to proceed. ***MOTION Dubois second Hayes “Arundel Board of Selectmen provide to Drummond & Woodsum “informed consent” as it pertains to the efforts to establish a Memorandum of Understanding between the Town and RSU as it relates to the Recreation Departments Before & After school program operated at the ML Day School” passed 5-0.***

-MOTION Nedeau second Labbe “approve account payables as presented and reviewed” passed 5-0.

Other Business

-Selectmen Dubois mentioned the hold-up on Table Microphones

DRAFT AS OF 11-23-21

ADJOURNMENT *MOTION Dubois second Nedeau “to adjourn” passed 5-0 @ 8:02PM*

Respectfully submitted,

Keith M. Trefethen
Town Manager

SPECIAL TOWN MEETING WARRANT
MONDAY FEBRUARY 14, 2022

To Emily Nedeau a resident of the Town of Arundel in the County of York, State of Maine

GREETINGS

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Arundel in said county and state, qualified by law to vote in town affairs: to meet at the Arundel Municipal Building Meeting Room in said town on Monday, the 14th day of February, A.D. 2021 at seven o'clock in the evening then and there to act upon Article #1 and Article #2 as set out below. The Registrar of Voters will hold office hours while the polls are open to accept the registration of any individual eligible to vote, to accept new enrollments and to correct any error or change in name or address on the voting list.

ARTICLE 1: To choose a moderator to preside at said meeting and to vote by written ballot.

ARTICLE 2: Shall the town vote to appropriate the sum of \$50,000 from fund balance for the demolition of the old town hall located at 468 Limerick Road.

Board of Selectmen recommend
Budget Board recommends

Dated at Arundel, Maine January _____, 2022

_____ Tom Danylik, Chair

_____ Dan Dubois

_____ Philip Labbe

_____ Velma Hayes

_____ Jason Nedeau

A majority of the Municipal Officers
Arundel, Maine

copy shall be submitted to the Code Enforcement Officer prior to final approval of the Private Way plan.

2.4.2 NON-EXEMPT PRIVATE WAYS

All Non-Exempt Private Ways shall be reviewed by the Planning Board in accordance with the procedures of the Arundel Subdivision Regulations prior to the issuance of any building or road construction permits

2.5. EXEMPT PRIVATE WAY REVIEW PROCEDURES

2.5.1. Staff Review Committee Approval Process

All applications for Private Ways shall be reviewed by the Arundel Staff Review Committee, Within thirty (30) days of receiving a complete Private Way application, when the applicant plans on constructing a new road, the Staff Review Committee shall conduct an on-site Public Hearing in which members of the Public are invited to attend and comment. Notifications shall be mailed to all property owners located within two hundred (200) feet of the Private Way, and a public hearing announcement shall be published in a newspaper of general circulation within seven (7) days of the Public Hearing.

Within fifteen (15) days of the Public Hearing, the Committee shall render a decision to approve, deny, or approve the Private Way application with conditions.

When the applicant is seeking approval of a roadway all-ready constructed and wants to expand the number of lots under the exempt use status to no more than 10 lots the applicant shall retain an Engineer to certify that the road has been constructed to meet the standards of Article 2 Section 2.3 of the Street Design and Construction Standards Ordinance. If the applicant is required to upgrade the road to meet the standards of Article 2.3 then the work to meet the standards must be completed and certified prior to the Staff Review Committee signing off on the request without the need for a Public Hearing or Public Meeting.

2.5.2 Approval Criteria:

The Staff Review Committee shall review all Private Way applications in accordance with all of the evidence submitted by the applicant, and shall specific findings of fact that the following standards have been met:

1. The proposed Private Way conforms with the design standards of Section 2.3 of this Ordinance.
2. The proposed Private Way has received all applicable State and Federal permits;
3. The proposed Private Way provides adequate soil erosion and sedimentation controls in conformance with section 5.4 of the Arundel Land Use Ordinance;
4. The proposed Private Way will not adversely impact on or off-site drainage systems, particularly municipal systems, and complies with section 5.20 of the Arundel Land Use Ordinance;
5. The proposed Private Way is in conformance with section 5.8 Floodplain Management and section 8.0 Shoreland Zoning regulations of the Arundel land Use Ordinance.
6. The proposed Private Way will not have an adverse impact upon existing vehicle circulation systems and safety within the neighborhood and community.

2.6 RECORDING OF PLAN:

An approved and signed Private Way plan shall be recorded by the applicant in the York County Registry of Deeds within sixty (60) days of the signing of the plan. Failure to register the plan within the 60 days will void the Staff Review Conunittee's approval.

2.7 INSPECTION AND CERTIFICATION:

2.7.1 Inspections: Private Ways shall be inspected under the direction of the Arundel Public Works Director, or designee and with the assistance of the Code Enforcement Officer. The Public Works Director may mandate that a Consulting Engineer be contracted by the Town to conduct inspection services on all or portions of the Private Way construction. The applicant shall be responsible for reimbursing the Town for all inspection services.

2.7.2 Private Way Certification: Prior to the issuance of building permits, the ~~Public Works Director or designee,~~ Applicant shall retain an Engineer to certify that the road has been constructed to meet the

| standards of Article 2 Section 2.3 of the Street Design and Construction Standards Ordinance. shall certify that the Private Way has been constructed in accordance with approved plans and design and performance standards in this section.

appointed, for a regular term of office or to complete the unexpired portion of any such regular term.

The Town of Arundel recognizes the need for injured employees to return to work as soon as practical after a work-related injury. To that end, the Town Manager shall establish, in conjunction with the employee and Worker's Compensation, a light-duty return to service program for the employee. This light-duty return to service shall be developed after reviewing the employee's job description, receiving recommendations from the employee's attending physician/therapist and with discussions with the employee on their capabilities and desires. The Town Manager shall work in conjunction with Workers Compensation to insure that the employee's return is smooth and within the capabilities as enumerated by those most closely involved with the employee.

SECTION 5.8 RETIREMENT

Town employees, once they have completed six (6) months of full time employment, are eligible to participate in a 457 plan offered by the Town. The Town shall match the employees' contribution up to six percent (6%) of base salary. In addition, Town employees participate in the Social Security System.

SECTION 5.9 HOLIDAYS

The purpose of the holiday benefit is to provide employees time off, or extra pay in lieu of time off, for national holidays. Employees shall be paid at one and one-half (1½) times their regular rate of pay for working on a holiday, plus 8 hours holiday pay at their regular pay rate, this does not apply to Fire-Rescue per diem and seasonal personnel. Full-time employees, per diem employees and seasonal public works employees required to work on Thanksgiving Day or Christmas Day specifically will be compensated two (2) times their regular rate of pay for those specific holidays, plus 8 hours holiday pay at their regular pay rate. Full-time employees who do not work the holiday shall be compensated at their rate of pay for that holiday. *(as amended by BOS 06-08-2015)* Holidays include:

- | | |
|----------------------------|-----------------------------|
| (1) New Year's Day | (7) Labor Day |
| (2) Martin Luther King Day | (8) Columbus Day |
| (3) President's Day | (9) Veterans Day |
| (4) Patriots Day | (10) Thanksgiving Day |
| (5) Memorial Day | |
| * Juneteeth | (11) Day After Thanksgiving |
| (6) Independence Day | (12) Christmas Day |

When a paid holiday falls on a Saturday, it shall be observed on the preceding Friday; when a paid holiday falls on Sunday, it shall be observed on the following Monday. In addition employees shall have Christmas Eve afternoon off if it falls on a weekday. Employees shall be on pay status the day before and the day after the holiday in order to receive holiday pay benefits. **The town will recognize Juneteeth as a Municipal Holiday and provide it as a floating holiday. One week notice shall be provided prior to use at the discretion of the Town Manager.*

Part-Time Employees - Part-time employees shall be paid their proportionate share of this ratio.