

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

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**Monday December 27, 2021  
Arundel Municipal Building  
6:10PM Interviews  
7PM  
Zoom Taping**

**Interviews for School Board Candidate start @ 6:10PM**

- I. Call to Order
- II. Approval of Agenda
- III. Public Forum – Public comment on non-agenda items
- IV. Approve Minutes of December 13, 2021
- V. Committee and Board Reports
- VI. Manager's Report
  - Arundel Street Design & Construction Ordinance
  - Transfer Station Issue
  - Special Town Meeting Draft
  - Hourly Rate Increase Town Attorney
- VII. Business
  - Development of purchasing policy
  - Proposed Change to Personal Policy/Floating Holiday
  - Approval of Accounts Payable & Payroll Warrant
- VIII - 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 December 27, 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.

## **INTERVIEWS SCHOOL BOARD CANDIDATES**

I have scheduled interviews starting at 6:10PM for folks interested in serving on the RSU#21 School Board from Arundel. At this writing we have three candidates.

## **MANAGERS REPORT**

- Arundel Street Design & Construction Ordinance: Lee Jay will be in attendance to discuss with you the proposed changes to the Ordinance. I have provided to you a draft of the changes. In addition as requested all folks who were on that Committee have been sent an invitation to attend and hear about the proposal.
- Transfer Station Issue: Further information will be forthcoming from Casella on Curb Side and Issue related to the present operation. I would like to sunset the requirement of weighing trash & recyclables. Instead 2 punches for up to 33 gallon bag of trash and one punch for up to 33 gallon bag of recyclables.
- Special Town Meeting Draft Warrant: Approval has been given by the Budget Board and now seeking your approval so we can have you folks sign and post accordingly.
- Rate Increase from Town Attorney. New Calendar year beginning I am seeking an OK on hourly rate increasing from \$175/hr for General Services to \$200/hr.

## **BUSINESS**

- Purchasing Policy: I took a stab at a new document and Chairman Danylik cleaned it up a bit. Your review and comments are appreciated.
- Floating Holiday: I have provided language in recognizing Juneteenth as a float holiday. Your comments are appreciated.

## **ADJOURNMENT**

**TOWN OF ARUNDEL  
BOARD OF SELECTMEN**

Monday December 13, 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, Fire Chief Jerry Beaulieu. Executive session, Attorney Leah Rachin

***MOTION Labbe second Dubois “enter executive session under 405 (6) (E) to discuss Dangerous Building options” passed 5-0 @ 6:30PM.***

***MOTION Labbe second Dubois: end executive session” passed 5-0 @ 6:56PM***

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

**Approval on Agenda:** ***MOTION Dubois second Hayes “approve agenda as amended” passed 5-0. (RSU #21 Finance update & Kennebunk River Advisory Committee Report).***

**PUBLIC FORUM**

-Velma discussed the Plaque for the building that has been ordered and provided a copy of the plaque wording to members for a final review.

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

**Committee & Board Report:** Selectmen Hayes provided financial information with regard to the recent RSU #21 meeting. Selectmen Nedeau discussed efforts by the River Advisory Committee as they begin meeting and reviewing the report.

**Managers Report:**

- Transfer Station Issue: Town met once again with officials from Casella. Presently Casella is losing fees as a result of the system and suggested ways to correct the issue.

a) stop weighing materials: Trash up to a 33 gallon trash bag two punches. Recyclables one punch.

b) Have a location before drop off where folk's materials are observed and payment is rendered. Like a toll house.

c) Stickers for all other items which are placed on item and paid for prior to disposal.

d) DEMO costs are way off and should be in the vicinity of \$150/ton.

Casella officials will provide a cost of materials for the town based on their hauling of tonnage to determine cost and perhaps the town will waive the Trash & Recycling Fee and collect these funds within an overall budget. More discussion to follow and perhaps a transition plan needs to be implemented as we move into this new area of disposal.

-Cost Recovery Program with Accidents: Fire Chief presented to the Board a program to collect from Insurance Companies after the Fire Department is called to Accident Scenes for clean up and emergency functions at these accidents. Board reviewed the materials and took the following action. ***MOTION Nedeau second Dubois "OK the fee schedule presented for the Cost Recovery Program" passed 5-0. MOTION Dubois second Nedeau "OK the Cost Recovery agreement and have the Town Manager sign on behalf of the Town" passed 5-0.***

-Medical Director Arundel Fire/Rescue: Beginning on January 1<sup>st</sup> the Town will be required by Maine EMS to establish a Medical Director for the Department because we provide Medical Care above the Basic EMT level. Fire Chief viewed with the Board an agreement being review by the Medical Doctor and the Town Attorney and we are trying to establish a system that the doctor will be established as an employee of the town. Still a work in progress with further action by the Board upcoming.

-Special Town Meeting Warrant: First review by the BOS no action required at this time.

-Arundel Street Design and Construction Ordinance: The Planner had proposed some changes in the Ordinance as it relates to Exempt Private Way Review Procedure. The Planner will attend the Boards meeting of December 27<sup>th</sup> to discuss with the Board his thoughts.

### **Business:**

- Purchasing Policy: The draft policy presented by the Town Manager was not what the BOS is looking for and asked the Manager to pair it down. Selectmen Danylik and the Manager will review the drafts as they are developed and present to the BOS at another time.

-Status of School Board Member: Two individuals (Erin Nadeau & Chip Bassett) application were moved forward. The Board of Selectmen wishes to speak to both and want the Manager to develop questions to be answered of both candidates. Plan is to meet with both at the meeting of December 27<sup>th</sup>.

-Floating Holiday Juneteenth: Board approved the Holiday and wish for the Manager to rework the language he presented for the Personal Policy before approval is granted.

-Crediford Cemetery: Selectmen Hayes mentioned that a Revolutionary War Veteran is buried in this cemetery and the family would like the town to repair the stone for placement. More information will be forthcoming before the Board makes a decision on the request.

***-MOTION Dubois second Labbe “approve account payables & payroll as presented and reviewed” passed 5-0.***

**Other Business**

-Selectmen Dubois mentioned what is the status of approval for the Before & After Program offered at the ML Day School by the Recreation Department. No change as of this writing.

**ADJOURNMENT *MOTION Dubois second Nedeau “to adjourn” passed 5-0 @ 8:31PM***

Respectfully submitted,

Keith M. Trefethen  
Town Manager

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.

**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 14<sup>th</sup> 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 Yes

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



**TOWN OF ARUNDEL  
SELECTBOARD PURCHASING POLICY**

Upon voter approval for the expenditure of municipal funds for the acquisition or leasing of any goods, services or for municipal operations, the Selectboard shall thereafter undertake to implement the approved expenses pursuant to this Policy so as to ensure that such municipal funds are spent through processes, outlined below, that will be most advantageous to the Town.

A. Expenditures that are necessary to carry out normal department operations shall be authorized by the Department Head, subject to review by the Town Manager and final approval by the Board upon its approval of a payable warrant upon which such expenditures are detailed.

B. Expenditures involving an amount anticipated to be less than \$25,000.00 will require an informal bid process wherein the Town, through its Purchasing Agent the Town Manager, will attempt to secure at least three (3) quotations for the goods or services sought to be purchased. The quotes shall be reviewed by the applicable Department Heads and the Town Manager who shall thereafter make a recommendation to the Board. Final approval shall be had by Board approval of the payable warrant upon which such expenditure is detailed.

C. Expenses involving an expenditure anticipated to be in excess of \$25,000.00 will require a formal Bid Process wherein a Request for Proposal/Bid Request will be developed by the Board. The Request for Proposal or Bid Request shall be advertised in a newspaper of general circulation and otherwise advertised through any available means. Bid packages may be sent directly to vendors with known expertise, experience, or familiarity with the bid subject. A reasonable time (at least fourteen (14) days) shall be provided for the Proposals/Bids to be returned. All formal bids will be opened at a scheduled meeting of the Selectboard who will review the bids and either award the bid or table the award to allow for review by staff with recommendation prior to award. Bids shall be chosen on the basis of price, quality of merchandise, suitability of merchandise and service/reputation of vendor and therefore may not necessarily mean

that the award will go to the lowest bid received. A statement to that effect shall be part of any advertisements and/or bid package sent to vendors.

The foregoing purchasing policies may be waived by the Board in the event of an emergency. The Board shall meet and make a finding that an emergency exists and, upon such finding, by affirmative vote of majority of the Board, proceed with the expenditure of the funds necessary to address the emergency circumstance.

Collective purchases by either the State or County Agencies through their processes and provided to the municipality as a joint purchase will not require the Town to receive bids/proposals either informally or formally as outlined in this Policy.

## **DATE APPROVED**

### **Arundel Board of Selectmen**

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**Thomas Danylik**

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**Dan Dubois**

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**Velma Hayes**

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**Phil Labbe**

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**Jason Nedeau**

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                     | (8) Labor Day               |
| (2) Martin Luther King Day             | (9) Columbus Day            |
| (3) President's Day                    | (10) Veterans Day           |
| (4) Patriots Day                       | (11) Thanksgiving Day       |
| (5) Memorial Day                       | (12) Day After Thanksgiving |
| (6) June 19 <sup>th</sup> (Juneteenth) | (13) Christmas Day          |
| (7) Independence 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. **June 19<sup>th</sup> will be a floating holiday for Municipal Employees. Notice must be provided to Town Manager prior to usage and approved based around staffing needs.**

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

Personal Leave - In addition to the above listed holidays, each full-time employee shall receive one personal leave day per year. Employees shall give their department head one week's notice,