

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

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**Monday May 22, 2023  
Arundel Municipal Building  
7PM  
Meeting Room**

- I. Call to Order
- II. Approval of Agenda
- III. Public Forum – Public comment on non-agenda items
- IV. Approve Minutes of May 8, 2023 and May 16, 2023
- V. Committee and Board Reports
- VI. Manager Report
- VII. Business
  - Establish the TIF Amendment Public Hearing
  - Approve the Warrant for the Annual Town Meeting
  - Review the Select Board Code of Conduct
  - Review Section 5.5 of Personnel Policy (Vacation)
  - Approval of Payable Warrant
- VIII. Adjournment

# TOWN OF ARUNDEL

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

BUSINESS MEETING May 22, 2023

## EXECUTIVE SUMMARY

Select Board 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

-I have nothing to report at this time that does not have to do with ATM Warrant, TIF Amendment or Budget Items.

## BUSINESS

**-TIF Public Hearing:** We have (10) ten days prior notice must appear in Generally Circulated Paper. I have taken the Liberty to tentatively schedule the Public Hearing for June 12<sup>th</sup> and have attached to Hearing Notice seeking your approval to move forward.

**-Approve Annual Town Meeting Warrant:** Attached to your paperwork I have provided the Warrant for your review and approval.

**-Code of Conduct:** I have attached as requested, the Code of Conduct presently in effect and provided a corrected version of that document eliminating Selectmen and in its place Select Board.

**-Vacation section 5.5 of Policy:** As requested a copy of the present vacation policy that appears in the Personnel Policy has been provided.

**-Payable Warrant:** Will be provided for review and action.

## ADJOURNMENT

**TOWN OF ARUNDEL**  
**SELECT BOARD**  
Monday May 8, 2023  
Arundel Municipal Building  
Meeting Room  
7PM Meeting

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

Others: TM Trefethen, John Reetz, Nate Howe

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

**Approval of Agenda:** *MOTION Nedeau second Labbe “Approve Agenda as amended” passed 5-0. (RSU #21 Meeting and Planning Board meeting) .*

**Public Forum:** No discussion

**Committee & Board Reports:** Select Board Member Dubois provided a report on RSU #21 meeting and the Planning Board meeting he attended on Tuesday the 2<sup>nd</sup>.

**Approval of Minutes:** *MOTION Nedeau second Hayes “approve minutes of April 24, 2023 as amended” passed 5-0.*

**Manager Report**

**-FY 24 County Tax Assessment:** The assessment statement from the County Manager was shared with the Board. Arundel’s Assessment went up 1.41%.

**-Traffic Signal upgrades:** MDOT is taking steps to replace traffic signals in Arundel along Route #1. Advertisement out on the 14<sup>th</sup> of June for construction to start in November 2023. Concerns were expressed on the Limerick Road/Route #1 signals and this will be provided to the MDOT.

**-Intersection of Log Cabin and Old Post Road:** MDOT is working to establish a plan to convert the Skewed Intersection. Letter from MDOT will be shared with all municipal departments of interest and placed on the town web-site.

**-LD1409:** The state legislature is working to approve a bill that would provide some financial relief to municipalities that incur training cost of Firefighters. This will be similar to what has been approved for Law Enforcement folks.

**Business**

**-Special Amusement Permit for Bentley's Saloon: MOTION Labbe second Hayes "approve the special amusement permit as presented and reviewed" passed 5-0.**

**-On Premises License for Dutch Elm Golf Course: MOTION Hayes second Nedeau "approve the License for Alcohol consumption as presented and reviewed" passed 5-0.**

**-Payable Warrant: MOTION Hayes second Nedeau "approve warrant as presented and reviewed" passed 5-0.**

**-EXECUTIVE SESSION: MOTION Nedeau second Labbe "enter executive session under 1 MRS 405 (6) (A) to discuss employment status with an employee" passed 5-0 @ 7:28PM.**

**MOTION Labbe second Nedeau "end executive session" passed 5-0 @8:27PM**

**MOTION Danylik second Hayes "support the Town Managers' position in terms of Officer demotion and instruct Manager to speak with all parties individually and then collectively to determine if employment status can begin on or around July 1, 2023" passed 5-0.**

**ADJOURNMENT**

**MOTION Nedeau second Hayes "to adjourn" passed 5-0 @ 8:28PM**

Respectfully submitted  
Keith M. Trefethen  
Town Manager

**TOWN OF ARUNDEL**  
**SELECT BOARD**  
Tuesday May 16, 2023  
Arundel Municipal Building  
Large Conference Room  
7PM Meeting

Members present: Select Board Dan Dubois, Phil Labbe, Tom Danylik  
Absent: Velma Hayes, Jason Nedean

Others: TM Trefethen

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

The purpose of the Meeting was to discuss with the Select Board the TIF Amendment Materials submitted by the Attorney and seek a go ahead to place the Amendment Subject on the Annual Town Meeting Warrant. This warrant will be approved at the Select Board Meeting of May 22, 2023.

The Managers concern was that the Materials would be placed and warrant approved by the Select Board before the Public Hearing on the TIF Amendment would be held. Attorney advised the Manager that as long as the Public Hearing is held prior to Town Meeting action that having the Select Board approve inclusion on the Warrant before the Public Hearing was no violation in Law.

Public Hearing on the TIF Amendment will be held on Monday June 12, 2023 and the Annual Town Meeting on the Warrant will be held on Wednesday June 14, 2023.

**ADJOURNMENT**

Meeting was adjourned at 7:29PM

Respectfully submitted  
Keith M. Trefethen  
Town Manager

**TOWN OF ARUNDEL  
NOTICE OF PUBLIC HEARING**

**Regarding  
an Amendment to the “Arundel Seasonal Cottages Municipal Development and Tax  
Increment Financing District”**

Notice is hereby given that the Town of Arundel will hold a public hearing on

June 12, 2023  
at 257 Limerick Road, Arundel, ME 04046  
The Public Hearing will be at 7:00 p.m.  
in person

The purpose of the public hearings are to receive public comments on the following pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended: the First Amendment to the Arundel Seasonal Cottages Municipal Development and Tax Increment Financing TIF District and Development Program, first designated in 2014, which will add additional project costs relating to public safety infrastructure and equipment, municipal equipment costs associated with District development, stormwater and drainage improvements, environmental improvements, and recreational trails. The Arundel Seasonal Cottages TIF District consists of approximately 158.6 acres.

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time. A copy of the relevant materials relating to the proposed First Amendment to the Arundel Seasonal Cottages TIF will be on file with the Town and a copy can be requested from the Town Clerk by calling or emailing Rachel Bull at (207) 985-4201 ext. 102, [townclerk@arundelmaine.org](mailto:townclerk@arundelmaine.org) prior to the public hearing. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Comments may also be submitted in writing to the Town Clerk, emailing Rachel Bull at (207) 985-4201 ext. 102, [townclerk@arundelmaine.org](mailto:townclerk@arundelmaine.org) at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town programs or services, please contact the Town Clerk so that accommodations can be made.

# TOWN MEETING WARRANT

TUESDAY JUNE 13, 2023  
AND WEDNESDAY JUNE 14, 2023

To Terry Merrill, 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** in said town on Tuesday, the 13th day of June, A.D. 2023 at eight o'clock in the forenoon then and there to act upon Article #1 and by secret ballot on Article #2 as set out below, polling hours therefore to be from eight o'clock in the forenoon until eight o'clock in the evening. 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.

And to notify and warn said inhabitants to meet at the **Arundel Municipal Building** in said town on Wednesday, the 14th of June, 2023 A.D. at seven o'clock in the evening, then and there to act on Articles #3 thru #42 as set out below, to wit.

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

**ARTICLE 2:** To choose by secret ballot (1) Select Board for a (3) three-year term; one (1) Regional School Unit #21 (RSU#21) Director for a (3) three-year term, (1) Regional School Unit #21 (RSU#21) Director for a (1) one-year term, (1) Budget Board members for three (3) year term.

**ARTICLE 3:** Shall the Town vote to adopt an Ordinance entitled "Amendment to the Arundel Land Use Ordinance current *section 9.3.1 Accessory Apartments-Dwelling Unit*" *Text of the proposed revision is presented in Exhibit A.*

**ARTICLE 4:** Shall the Town vote to adopt "*a zoning map amendment to change a portion of Map 29 Lots 19&20 and Map 34 Lots 7,8,&9 to decrease the DB-1zone to a depth of 168' along the frontage of those parcels, with the remaining land of those parcels to be rezoned to the DB-2 zone. Map of the proposed amendment is presented in Exhibit B.*

**ARTICLE 5:** Shall the following vote be adopted:

Shall the voters of the Town of Arundel, Maine adopt the ***First Amendment to the Arundel Seasonal Cottages Municipal Development and Tax Increment Financing District Development Program*** such adoption to be pursuant to the following findings, terms and provisions?

WHEREAS, the Town of Arundel (the "Town") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the Town of Arundel as the Arundel Seasonal Cottages Municipal Development and Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program") and did so designate the District and adopt the

Development Program on July 23, 2014 which was subsequently approved by the State of Maine Department of Economic and Community Development on February 12, 2015; and WHEREAS, the designation of the First Amendment to the Arundel Seasonal Cottages Municipal Development and Tax Increment Financing District Development Program (the "Amendment") will help to provide new opportunities for economic development on the Town and surrounding region, improve and broaden the tax base in the Town and improve the economy of the Town and the State of Maine; and

WHEREAS the Town has held a Public Hearing on the Question of adopting the Amendment at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town shall vote whether to adopt the Amendment; and

WHEREAS, it is expected if the Town adopts the Amendment, approval will be sought and obtained from the State of Maine Department of Economic and Community Development finally approving the Amendment

NOW THEREFORE BE IT HERBY RESOLVED BY THE TOWN:

**Section 1.** The Town hereby adopts the Amendment, such adoption to be pursuant to the following findings, term and provisions:

**Section 2.** The Town hereby finds and determines the following demonstrating Amendment's compliance with State Statute

a. The District complies with the provisions of Title 30-A M.R.S.A. 5223 (3)(A)-(D). The first Amendment to the Development Program does not result in the District falling out of compliance with any provisions of the Title 30-A M.R.S.A. 5223 (3)(A)-(D).

b. The District and pursuit of the Amendment will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The town has considered all evidence, if any, presented to it at the required public hearing with regard to any adverse economic effect on or detriment to an existing business, if any, is outweighed by the contribution expected to be made through the District and the Amendment.

**Section 3.** Pursuant to Chapter 206 of Title 30-A of the Maine revised Statutes, as amended, the Town hereby adopts the "*First Amendment to the Arundel Seasonal Cottages Municipal Development and Tax Increment Financing District Development Program*" presented to Town meeting in the form attached hereto and such amendment is hereby incorporated by reference into this vote as the Development Program for the District.

**Section 4.** Pursuant to the provisions of 30-A M.R.S.A. Section 5227 the percentage of captured value to be retained is to be established as set forth in the amended Development Program.

**Section 5.** The Town Manager or duly appointed representative, be and hereby is authorized, empowered and directed to submit the Amendment for the District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. Section 5226.

**Section 6.** The Town Manager or duly appointed representative, be and hereby authorized and empowered, to make such revisions to the Amendment for the District as the Town Manager, or duly appointed representative, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the State of Maine Department of Economic and

Community Development, or for any other reason, so long as such revisions are not inconsistent with these rules or the basic structure and intent of the Amendment.

**Section 7.** The foregoing adoption of the Amendment for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the adoption of the amended Development Program by the State of Maine Department of Economic and Community Development, without requirements of further action by the Town, the board of Selectmen or any other party.

**ARTICLE 6:** Shall the town vote to raise and appropriate the sum of \$115,331 for the General Government Account?

Board of Selectmen recommends Yes  
Budget Board recommends Yes

**ARTICLE :** Shall the town vote to raise and appropriate the sum of \$981,282 for the Town Hall Administration Account?

Select Board recommends Yes  
Budget Board Recommends Yes

**ARTICLE 8:** Shall the town vote to raise and appropriate the sum of \$1,031,286 for the operations of the Arundel Fire-Rescue Service Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 9:** Shall the Town vote to raise and appropriate the sum of \$96,893 to hire one additional Full-Time Firefighter/Paramedic for the Arundel Fire/Rescue Department.

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 10:** Shall the town vote to raise and appropriate the sum of \$66,725 for the Civil Services Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 11:** Shall the town vote to raise and appropriate the sum of \$1,022,305 for the Public Works Department Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 12:** Shall the town vote to raise and appropriate the sum of \$324,300 for the Town Transfer/Recycling Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 13:** Shall the town vote to raise and appropriate the sum of \$110,156 for the General Assistance Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 14:** Shall the town vote to raise and appropriate the sum of \$443,050 for the Recreation Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 15:** Shall the town vote to raise and appropriate the sum of \$208,123 for police protection. Funding covers two patrol officers for a total of 80 hours per week.

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 16:** Shall the voters authorize the Board of Selectmen, upon majority vote of the full Board of Selectmen, to exceed by no more than 5% annually, the amount authorized for each account approved in Articles #6 through #15 above, so long as the amount spent for the sum total of those Articles does not exceed the total appropriations approved for those Articles.

**ARTICLE 17:** Shall the town vote to raise and appropriate the sum of \$70,000 as the first years payment to purchase a New Ambulance for the Arundel Fire/Rescue Department and approve the total sum of \$350,000 to be paid over a 5 year period for the purchase of this Ambulance.

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 18:** Shall the town vote to raise and appropriate the sum of \$45,000 for the purchase of a new cruiser for the York County Sheriff's Department to support the town's contract deputies.

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 19:** Shall the town vote to raise and appropriate the sum of \$580,000 for the Road Construction Reserve Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 20:** Shall the town vote to raise and appropriate the sum of \$125,000 for the Public Works Capital Equipment Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 21:** Shall the town vote to raise and appropriate the sum of \$70,000 for the Arundel Fire-Rescue Capital Reserve Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 22:** Shall the town vote to raise and appropriate the sum of \$20,000 for the Recreation Department Bus Reserve Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 23:** Shall the town vote to raise and appropriate the sum of \$9,000 for the Eastern Trail Account?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 24:** Shall the town vote to raise and appropriate the sum of \$15,195 for Social Service Agencies?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 25:** Shall the town vote to raise and appropriate the sum of \$17,000 for the Kennebunk Free Library?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 26:** Shall the town vote to raise and appropriate the sum of \$2,500 for the Kennebunk, Kennebunkport, Arundel Chamber of Commerce?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 27:** Shall the town vote to expend the sum of \$145,000 from the Coronavirus State and Local Fiscal Recovery Funds, a part of the American Rescue Plan for upgrades to the SCBA (Self Contain Breathing Apparatus) for the Arundel Fire/Rescue Department.

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 28:** Shall the town vote to expend the sum of \$40,000 from the Coronavirus State and Local Recovery Funds, a part of the American Rescue Plan for the purchase of a 100KW Stand by Generator for the Arundel Public Works Department.

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 29:** Shall the town vote to appropriate the sum of \$2,683,298 from estimated revenues to be used to reduce the tax commitment as follows:

Taxes (not commitment)	\$1,146,398
License & Permits	\$87,000
Intergovernmental Revenue	\$945,970
Service Charges	\$503,930

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 30:** Shall the town vote to authorize the Board of Selectmen to expend up to \$500,000 from undesignated fund balance to be used when setting the municipal tax rate?

Select Board recommends Yes  
Budget Board recommends Yes

**ARTICLE 31:** Shall the town vote to authorize the Board of Selectmen to sell, or otherwise dispose of excess vehicles and equipment pursuant to and consistent with the written policy adopted by the Board of Selectmen after public notice, and deposit any proceeds into the appropriate department's reserve account?

**ARTICLE 32:** Shall the town vote to authorize the Board of Selectmen to accept donations of funds, real estate and/or equipment on behalf of the town and to spend them, as they deem appropriate.

**ARTICLE 33:** Shall the town vote to authorize the Selectmen to transfer available funds such as tree growth, veteran's exception, excise tax, registration fees and any other funds which might be used for reduction of the tax commitment?

**ARTICLE 34:** Shall the town vote to authorize the Board of Selectmen to enter into multi-year contracts (not to exceed five years) for the lease or purchase of goods and services, when they deem it in the best financial interest of the Town?

**ARTICLE 35:** Shall the town vote to transfer funds received through the sale of tax acquired property to the Municipal Building Reserve Fund?

**ARTICLE 36:** Shall the town vote to authorize the Tax Collector to collect partial payments and pre-payments of real property and personal property taxes?

**ARTICLE 37:** Shall the town vote to authorize the Treasurer to collect partial payments of real property liens?

**ARTICLE 38:** Shall the town vote to set due dates on all property taxes as of October 11, 2023 or 30 days after tax bills are mailed (whichever is later) and April 10, 2024?

**ARTICLE 39:** Shall the town vote to charge interest at the rate of 8:00% per annum on all real and personal property taxes remaining unpaid after the due dates set in Article 38

**ARTICLE 40:** Shall the town vote to pay interest at the rate of 4:00% per Annum on overpayments of real and personal property taxes refunded as result of a grant or abatement?

**ARTICLE 41:** Shall the town vote to authorize the Board of Selectmen on behalf of the town, to sell and dispose of any property acquired by the town for non-payment of taxes, consistent with state statutes and laws, except that the Municipal Officials shall use the special sale process required by 36 M.R.S. 943-C for qualifying homestead property if they choose to sell to anyone other than the former owner (s). In all cases the conveyance is to be made by municipal quitclaim

**ARTICLE 42:** Shall the town vote to accept and spend, as deemed by the Board of Selectmen to be in the best interest of the town, any and all grant monies awarded to the Town of Arundel by the United States Government and / or the State of Maine under the Community Development Block Grant Program, the Land & Water Conservation Grant Program or any other similar grant programs in the upcoming fiscal year?

Dated at Arundel, Maine May 22, 2023

\_\_\_\_\_ Dan Dubois, Chair

\_\_\_\_\_ Jason Nedeau

\_\_\_\_\_ Philip Labbe

\_\_\_\_\_ Tom Danylik

\_\_\_\_\_ Velma Jones Hayes

A majority of the Municipal Officers Arundel, Maine



TOWN OF ARUNDEL  
SELECT BOARD CODE OF CONDUCT

The Select Board Members agrees to adhere to the following code of conduct during their tenure in office including at all Select Board Meetings, while representing the Select Board on any committee or sub-committee and while representing the Select Board or the Town in any capacity within or outside the Town.

1. A Town Select Board member, once sworn into public office, will at all times endeavor to serve the interests of the citizens of the Town of Arundel.

2. A Town Select Board Member shall refrain from participation in any matter where there exists an actual, potential or perceived conflict of interest. Such a conflict would be that as would arise from a personal relationship or a financial involvement in a matter that would cause a reasonable person to believe that the Select Board members action in his or her official capacity may be influenced by self interest or bias. In any situation where the Board determines a conflict of interest or bias exists relative to any Board Member, that Board Member shall withdraw or recuse him or herself from further participation, except as a citizen, and shall not vote on the matter involved.

3. In that a Town Select Board member has no legal authority to take any action or make any decision on behalf of the Town outside a duly scheduled meeting of the Select Board, he or she shall conduct relationships and communications with other Town Select Board members, Town personnel, the local citizenry and all media with that understanding. A Select Board member shall request information about any specific matters from the Town Manager and not directly from other Town personnel.

4. A Town Select Board member shall, once a decision has been made by a legal vote of the Select Board, refrain from obstructing or impeding the implementation of the Board's decision.

5. A Town Select Board member will only discuss the confidential business of the Town at a duly scheduled meeting of the Select Board.

6. A Town Select Board member will make decisions only after the facts bearing on a matter before the Board have been presented and discussed at a public meeting or hearing of the Select Board.

7. A Town Select Board member shall always treat Board Members, citizens, Town employees, committee or members of other Town Boards with courtesy and respect.

8. A Town Select Board member will not criticize Town employees publicly but will take such criticism to the Town Manager for investigation and action as may be necessary pursuant to Town employee policy.

9. A Town Select Board member will bring concerns regarding the conduct or behavior of a fellow Board member first to the Chair of the Board of Select Board for investigation and action if necessary, before raising such concerns in a public forum.

10. A Town Select Board Member who, after warning, disregards or fails to abide by this Code of Conduct may, by virtue of his or her continued violation of this Code, be subject to censure by the Board or the recall provisions of the Town Charter.

Renewed June \_\_, 2023

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TOWN OF ARUNDEL  
BOARD OF SELECTMEN CODE OF CONDUCT

The Board of Selectmen Members agrees to adhere to the following code of conduct during their tenure in office including at all Board of Selectmen Meetings, while representing the Board of Selectmen on any committee or sub-committee and while representing the Board of Selectmen or the Town in any capacity within or outside the Town.

1. A Town Selectman, once sworn into public office, will at all times endeavor to serve the interests of the citizens of the Town of Arundel.
2. A Town Selectman shall refrain from participation in any matter where there exists an actual, potential or perceived conflict of interest. Such a conflict would be that as would arise from a personal relationship or a financial involvement in a matter that would cause a reasonable person to believe that the Selectman's action in his or her official capacity may be influenced by self interest or bias. In any situation where the Board determines a conflict of interest or bias exists relative to any Board Member, that Board Member shall withdraw or recuse him or herself from further participation, except as a citizen, and shall not vote on the matter involved.
3. In that a Town Selectman has no legal authority to take any action or make any decision on behalf of the Town outside a duly scheduled meeting of the Board of Selectmen, he or she shall conduct relationships and communications with other Town Selectmen, Town personnel, the local citizenry and all media with that understanding. A Selectman shall request information about any specific matters from the Town Manager and not directly from other Town personnel.
4. A Town Selectman shall, once a decision has been made by a legal vote of the Board of Selectmen, refrain from obstructing or impeding the implementation of the Board's decision.
5. A Town Selectman will only discuss the confidential business of the Town at a duly scheduled meeting of the Board of Selectmen.

6. A Town Selectman will make decisions only after the facts bearing on a matter before the Board have been presented and discussed at a public meeting or hearing of the Board of Selectmen.

7. A Town Selectman shall always treat Board Members, citizens, Town employees, committee or members of other Town Boards with courtesy and respect.

8. A Town Selectman will not criticize Town employees publicly but will take such criticism to the Town Manager for investigation and action as may be necessary pursuant to Town employee policy.

9. A Town Selectman will bring concerns regarding the conduct or behavior of a fellow Selectman first to the Chair of the Board of Selectmen for investigation and action if necessary, before raising such concerns in a public forum.

10. A Town Selectman who, after warning, disregards or fails to abide by this Code of Conduct may, by virtue of his or her continued violation of this Code, be subject to censure by the Board or the recall provisions of the Town Charter.

Renewed June 25, 2018

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For the purposes of accumulating additional vacation or sick leave, an employee using earned sick leave shall be considered to be working.

An employee receiving sick leave with pay who simultaneously receives either workmen's compensation insurance benefits and/or disability insurance payments (when the insurance is provided by the Town), shall receive only that portion of their sick leave payments which will, together with the workmen's compensation benefits and or disability insurance payments, equal the employee's regular salary.

Sick leave shall not be taken in less than one hour increments. (\*EXCEPTION when an employee leaves ½ hour early at end of day for Doctors Appointment) Claiming leave under false pretense shall be cause for disciplinary action, including transfer, suspension, demotion or dismissal. (as amended by BOS 1-22-18)

Employees whose employment with the Town has been terminated either through resignation, retirement, or layoff shall not be entitled to compensation for accumulated sick leave.

The town has also enacted an Extended Sick Leave Policy which establishes a procedure in which eligible employees may voluntarily donate accrued time to another employee. See Appendix D for details and procedure. (as amended by BOS 1-22-18)

## **SECTION 5.5 VACATION**

It is the intent that vacation leave shall be given as an opportunity for an employee to refresh themselves by a change from their job, and it shall be taken each year in so far as possible in weekly intervals. Vacation leave scheduling shall be the responsibility of the department head for employees under their supervision. When the need for vacation is foreseeable employees should make a request to their supervisor in writing 4 weeks in advance. Such request will be granted except during busy times or when more than 2 employees have already requested leave during the same time period. When the need for leave is not foreseeable, but is needed because of an emergency, employees shall notify their supervisor as soon as possible under the circumstances. (as amended by BOS 12-28-20)

All employees are eligible to earn vacation at their regular rate of pay.  
(as amended 12-28-20)

Part-time employees shall accumulate vacation leave at a proportionate share of the full time accumulation formula, calculated as a percentage of a full time work week worked. (For example, an employee working 20 hours works 50% of a 40 hour work week, therefore accumulating one half (1/2) of the hours indicated in the General Vacation Leave Schedule below.)

**GENERAL VACATION LEAVE SCHEDULE**

<u>Equivalent Years Worked</u>	<u>Earned Vacation Leave</u>	<u>Max. Hrs. Earned/Year</u>
0+/-5		80 (10 days)
5+/-12	.1923/days per week	120 (15 days)
12-20	.2885/days per week	160 (20 days)
20+	.3846/days per week	
	160 (20 days) plus eight (8) hours (one (1) day) per every additional years over 20.	

**(as amended by BOS 1-22-18)**

No vacation leave shall be granted to an employee during the first ~~six~~ (4) months of employment, but vacation time shall accrue from the start of their employment and may be used after the successful completion of four (4) months probationary period. In accordance with the vacation leave schedule, a full-time employee completing four (4) months of service, having earned regular employment status, shall be eligible for 16 hours (based on a 40 hour work week) of vacation leave. All earned vacation leave shall be based on the employee's accumulated hours on pay status from their starting date of employment with the Town.

**(as amended by BOS 12-28-20)**

Employees shall be responsible for these policies pertaining to accumulation of time as recorded on their paystub in order to remain compliant with this section.

**MAXIMUM ACCUMULATED VACATION LEAVE**

<u>Period of Continuous Employment</u>	<u>Maximum No. of hours of accumulated leave</u>
thru 10 years	120 (15 days)
11 thru 20 years	160 (20 days)
over 20 years	200 (25 days)
NOTE*employees who have been in service for 20 plus years can accumulate up to 100 additional hours with no payment upon separation in good standing.	

Employees whose employment with the Town has been terminated either through resignation, retirement, or layoff, and are leaving the municipal service in good standing, shall be entitled to cash payment for maximum allowed accumulation not to exceed 200 hours as of the date of said termination.

**(as amended by BOS 10-12-21)**

**SECTION 5.6 LONGEVITY SCHEDULE**

To recognize the importance of retaining experienced employees, \$0.07/hour shall be added to the hourly wages of all regular Town Employees beginning with their third year of service and increasing \$0.07/hour per fiscal year thereafter.