

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

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**Monday November 10, 2025
Arundel Municipal Building
7PM
Meeting Room**

**SPECIAL TOWN MEETING
(see warrant w/explanation)**

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes October 27, 2025
- IV. Public Forum – Public comment on non-agenda items
- V. Committee and Board Reports
- VI. Manager's Report
 - Request for Emergency Moratorium
 - Research on Municipal Lots Map 10 Lot 5&6
 - Update Fire Station discussion
- VII. Business
 - DEP Notice Closed Landfill on Whitten Hill Road
 - Approve Payable & Payroll Warrants
- VIII. Adjournment

TOWN OF ARUNDEL

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

BUSINESS MEETING November 10, 2025

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.

SPECIAL TOWN MEETING

I have attached the Warrant that is the explanation piece that provides the public general information as to the approval being sought.

MANAGERS REPORT

- **Emergency Moratorium:** A resident of Shady Oaks Mobile Home Park contacted me. Apparently, the owner of the park has informed the residents of a significant lot increase that will be occurring. The resident wondered if the Town could act to put in place an emergency moratorium. I have been in contact with the Town Attorney, reviewed the Town Ordinances and Charter along with a review of the State Statutes. I believe some residents of Shady Oaks will be in attendance to provide their own struggles with this increase.
- **Municipal Lots Map 10 Lot 5&6:** I have instructed the Attorney to perform the Deed Research and status of the Right of Way and provided to them the materials we had on file and our research to assist with the review.
- **Update Fire Station Discussion:** Port City Architects provided a drawing of a design that had the two new bays to the rear of the existing building. I had questions related to rear wall removal, lot coverage and overall construction cost that I have asked.

BUSINESS

- **Closed Landfill Whitten Hill Road:** At one time dating back into the 60's the Town of Arundel operated a Landfill on property owned by the Town in Kennebunkport. DEP plans to initiate step-out investigation to determine PFAS substances at this closed facility and its impact on groundwater in the area. I have reached out to our present company that monitors groundwater issues at our closed landfill off of Bergeron Drive to provide guidance on this matter.

ADJOURNMENT

SPECIAL TOWN MEETING WARRANT

MONDAY NOVEMBER 10, 2025

To: Heather Emmons 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 10th day of November, A.D. 2025 at seven o'clock in the evening then and there to act upon Article #1 thru Article #2 as set out below.

ARTICLE 1: To choose a moderator to preside at said meeting and to vote by show of hands.

ARTICLE 2: Shall the town vote to authorize the Select Board to expend up to \$507,860 from undesignated fund balance to cover an error in Tax Assessment when the mil rate was approved for Fiscal Year 25/26.

EXPLANATION:

An error was discovered when the Town began to balance the budget for FY 25/26. The TIF Financial Plan entered into with the Arundel Cottages requires that a portion of the new value created with the Cottage Development gets returned to the Developer per the TIF Agreement. This year that amount was omitted from the Assessment Calculation when establishing the Municipal Tax Rate. The \$507,860.00 with voter approval would be withdrawn from the Town Undesignated Fund Balance which has available for these purposes a total of \$1,466,241.00, leaving a balance of \$958,381.00.

**TOWN OF ARUNDEL
SELECT BOARD**

Monday October 27, 2025
Arundel Municipal Building
Meeting Room
7PM Meeting

Members present: Select Board Tom Danylik, Velma Hayes, Dan Dubois, Phil Labbe, Chip Bassett

Others: TM Trefethen, Ben Byrne (PW), Jay Bassett (PW), Andy Stevenson (Fire), Stella McCormack, Annette Labrecque, Paulette Morin, Paulette Taschereau, Ariel Tasca, Sharon Binette, Erica Everett, Diane Robbins-Mockus.

Call to order: Chairman Danylik called the meeting of the Select Board to order @ 7:00 PM.

-Approval of Agenda: *MOTION Dubois second Hayes “approve agenda as amended passed 5-0. (discussion on RSU #21 Meeting).*

-Public Forum: Diane Robbins-Mockus was not receiving her e-mail notice on Board meetings as she had signed up for.

-Approval of Minutes: *MOTION Labbe second Bassett “approve minutes of October 14, 2025 as presented and reviewed” passed 5-0.*

-Committee & Board: Board member Dubois discussed the RSU #21 meeting he attended. No action required by the Select Board.

-Manager Report

Appeals Board Training follow-up: Training went well conducted by Attorney Rachin. New Manuals for the Board were ordered. No pending meetings are scheduled at this time.

-Objection to Notice/Clearview: Manager shared the recorded objection developed by the Town that was needed as a result of recorded action on 8-1-25 and 8-15-25 by Mr. Michael Thomas with his Notices to prevent acquisition of easement and right of way.

-Meeting with Neighborhood Housing Trust: The Trust folks (Larissa & Ira) were inquiring what additional steps the Town was willing to take to insure no encumbrances on the properties and what official rights are included on the road

and access to the properties for Map 10 Lot 6 and Map 10 Lot 5. The Board once again instructed the Manager to seek those answers through a legal review and did not feel at this time to discuss a survey of those properties until we receive answers of the pending questions.

-Business

TIF Assessment Error: Manager provided a memo on October 16th and the Assessor provided one on the 20th to outlined what occurred with the Assessment Error essentially prohibiting the collection of \$507,860.47 as a result of a mis calculation of funds that needed to be collected as the Developers portion of the TIF Funding. The Assessor was present to answer any questions as to process and procedure to what occurred. Manager provided four options with a memo presented to the Select Board dated October 23rd. After review the Board took the following action. ***MOTION Bassett second Dubois “conduct a Special Town meeting to ask voters to approve the use \$507,860.47 from Undesignated Fund Balance to correct the Assessment Error” passed 5-0.***

Payable & Payroll Warrants: ***MOTION Dubois second Labbe “approve the warrants as reviewed” passed 5-0.***

ADJOURNMENT

MOTION Dubois second Bassett “to adjourn” passed 5-0 @ 7:50 PM

Respectfully submitted

Keith M. Trefethen
Town Manager

Town Manager

From: Town Manager
Sent: Thursday, October 30, 2025 4:10 PM
To: Leah B. Rachin
Subject: Request for Emergency Moratorium

Leah

Just got a call from a resident of Shady Oaks Mobile Home Park. The Park is owned by Shady Oaks MHP LLC out of El Segundo, CA 90245. Park ownership has just notified the residents that their Park fee will be increasing and the resident who contacted me wishes to know is it possible for Arundel to enact an emergency moratorium. The Park owners have indicated that if 51% of the residents request a hearing that they will set down with them and discuss the increase but in the meantime the increase will go into effect (not sure of date that increase will take effect).

As I look at the Law I understand the process for a Moratorium on development and how to proceed and dates that it can go into effect but do not know the process for Moratorium on a owner when he/she wishes to increase a rent. In this case we have 71 units sites that are affected by the action of the owners.

Keith

Title 10: COMMERCE AND TRADE
Part 11: HOUSING
Chapter 953: REGULATION OF MOBILE HOME PARKS; LANDLORD AND
TENANT

§9093-B. Manufactured housing community increase in lot rent and fees

1. Lot rent and fees; notice requirement. An owner of a manufactured housing community shall provide notice of an increase in lot rent or fees no less than 90 days before the effective date of the increase to the owner of a manufactured home in the community.

[PL 2025, c. 399, §2 (NEW).]

2. Notice contents. The notice under subsection 1 (./10/title10sec9093-B.html) must include:

A. The name, address, telephone number and e-mail address of the owner of the manufactured housing community; [PL 2025, c. 399, §2 (NEW).]

B. The amount of the increase in rent or fees, in dollars, and the type of fee increased; [PL 2025, c. 399, §2 (NEW).]

C. The average lot rent and fees by the type of fee, as a dollar amount, for a manufactured housing community with equivalent services and amenities in the area at the time of the notice; [PL 2025, c. 399, §2 (NEW).]

D. The average lot rent, calculated pursuant to paragraph C (./10/title10sec9093-B.html), increased by 1% above the Consumer Price Index for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, in dollar amounts, referred to in this section as "the allowed lot rent increase"; [PL 2025, c. 399, §2 (NEW).]

E. The average fee for each type of fee, calculated pursuant to paragraph C (./10/title10sec9093-B.html), increased by 1% above the Consumer Price Index for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, in dollar amounts, referred to in this section as "the allowed fee increase"; and [PL 2025, c. 399, §2 (NEW).]

F. A statement of the manufactured home owner's right to request mediation and the requirements to make a request. [PL 2025, c. 399, §2 (NEW).]

[PL 2025, c. 399, §2 (NEW).]

3. Request for mediation. If the dollar amount of the proposed lot rent increase is above the allowed lot rent increase or the dollar amount of the proposed fee increase is above the allowed fee increase for the type of fee increased, owners of manufactured homes in the housing community may request the proposed lot rent or fee increase be subject to mediation, if:

A. A number of owners representing 51% or more of the households in the community sign a written request for mediation; and [PL 2025, c. 399, §2 (NEW).]

B. The written request is mailed, by certified mail, to the owner of the manufactured housing community within 90 days of the date of the notice required by subsection 1 (../10/title10sec9093-B.html). [PL 2025, c. 399, §2 (NEW).]

[PL 2025, c. 399, §2 (NEW).]

4. Mediation. Within 15 days of the date of the notice under subsection 3, paragraph B (../10/title10sec9093-B.html), the parties shall mutually select an independent 3rd-party mediator to facilitate the discussion of the proposed lot rent or fee increase. Within 30 days of the date the request for mediation was mailed under subsection 3 (../10/title10sec9093-B.html), the parties shall meet with the mediator for the purpose of attempting to resolve the dispute. The owner of the manufactured housing community shall pay all costs for the mediator and the mediation. If the owner of the manufactured housing community acts in bad faith with respect to the request for mediation or the mediation process, the lot rent or fee increase may not take effect for at least 6 months from the date the request for mediation is mailed under subsection 3 (../10/title10sec9093-B.html). Failure of the owner of the manufactured housing community, or the owner's authorized representative, to participate in mediation, is an example of bad faith.

[PL 2025, c. 399, §2 (NEW).]

For purposes of this section, "manufactured housing community" has the same meaning as in section 9081, subsection 2 (../10/title10sec9081.html), except that in this section "manufactured housing community" includes a mobile home park. [PL 2025, c. 399, §2 (NEW).]

SECTION HISTORY

PL 2025, c. 399, §2 (NEW).

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.



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

November 4, 2025

Town of Arundel
257 Limerick Road,
Arundel, ME 04046
Attn: Keith Trefethen (Town Manager)

RE: Per and Poly Fluorinated Substance (PFAS) sampling around the Landfill off of Whitten Hill Rd.

Dear Keith:

This letter is to inform you that the Maine Department of Environmental Protection (DEP) plans to initiate a step-out investigation into the presence of per- and polyfluoroalkyl substances (PFAS) related to the closed municipal landfill, located off Whitten Hill Road in Kennebunkport (Landfill). Such contaminants may be present due to the associated buried waste, which has the potential to impact local groundwater. The overall goal is to determine whether PFAS presents a risk to public health or the environment. The Landfill though within the Municipality of Kennebunkport was historically run and or operated by the Municipality of Arundel, so the Town of Arundel is considered to be the Primary Responsible Party for contamination from or due to the Abandoned Landfill off of the Whitten Hill Road in Kennebunkport.

Recently, the Department sampled well water at the residences 128 and 139 Whitten Hill Rd and found that there was a potential signature from the landfill.

There are two wells in use at the residence of 139 Whitten hill Rd. The Dug well (S) that is used for drinking water was found to be below the PFAS interim drinking water standard, there was a large enough amount of PFAS in the well water to warrant routine monitoring to assure that the level found stays consistent The water in the drilled well (D) was found to have a PFAS result of 43.5 ppt which is over the interim drinking water standard.

The water tested at 128 Whitten Hill Rd (14.1ppt on a limit of 20ppt sum of 6) was not over the PFAS interim drinking water standard, the Arsenic and Sodium levels were over standards, and could have very well been caused by influences by the landfill on the local groundwater.

PFAS are considered emerging contaminants and are not currently regulated by the U.S. Environmental Protection Agency (EPA). In Maine however, emergency legislation became effective June 21, 2021, setting forth an interim drinking water standard of 20 parts per trillion for the sum of six PFAS (PFOA, PFOS, PFNA, PFHxS, PFHpA, and PFDA). This is described in 2021 Public Law Chapter 82 Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants. The DEP is using Maine's more stringent standard for its investigation into groundwater impacts

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AUGUSTA, MAINE 04333-0017
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(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

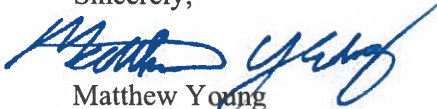
PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

including impacts to any residential wells. Additional information regarding PFAS can be found at the DEP's website: <https://www.maine.gov/dep/spills/topics/pfas/>. Arundel currently has an environmental consultant performing Landfill-related sampling and monitoring, Arundel may contract with a consultant to perform the PFAS sampling and reporting, and the DEP will reimburse Arundel for the associated and preapproved costs. Please note that to be eligible for reimbursement, the DEP must pre-approve the scope of work and associated costs. Alternatively, DEP will undertake and fund the investigation and work with Arundel to remediate or mitigate any issues that are discovered.

PFAS are an emerging contaminant of concern at closed municipal landfills and municipalities, as owner/operators, are ultimately responsible for contamination that is associated with their closed landfills. To that end, in 1998, the Maine Legislature created the Landfill Closure and Remediation Program (38 M.R.S. §§ 1310-C to 1310-H-1.). One of the Program's objectives is to remediate hazards posed by closed municipal solid waste landfills. The legislation provides a cost-sharing component that covers 50% or 90% of approved remediation that may be necessary to mitigate impacts resulting from contamination associated with such a landfill. As an example, if residential wells were impacted with elevated levels of PFAS associated with a closed municipal landfill, the municipality can generally be reimbursed for 50% or 90% of the costs of installation and initial sampling costs of a residential filtration system. Note that impacted wells constructed prior to January 1, 2000 are eligible for 90% remedial reimbursement while wells constructed in 2000 or later are eligible for 50% reimbursement.

I look forward to speaking with you further about completing this work. Please contact me by email at matthew.r.young@maine.gov, by regular mail at the Augusta address in the letterhead, or by phone at (207) 215-7841.

Sincerely,



Matthew Young
Project Manager
DEP Landfill Closure and Remediation Program

Attached: Step-out list identified for step out investigations, analytes for sampling, methods for sampling.