

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

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**Tuesday May 26, 2020**

**Town Office**

**7PM**

**NOTE\* Because of COVID-19 the public can listen/participate in this meeting by calling (425) 436-6316 Code 169421 at 7PM.**

- I. Call to Order
- II. PUBLIC HEARING FOOD TRUCK APPLICATION**
- III. Approval of Agenda
- IV. Public Forum – Public comment on non-agenda items
- V. Approve Minutes of May 11, 2020
- VI. Committee and Board Reports
- VII. Manager’s Report
  - Status on Municipal Building Project
  - Status on Summer Recreation Program
- VIII. Business
  - Intersection Brimstone & Limerick Road
  - Food Truck- Hot Dog Cart Robert Mirisola
  - RSU #21 Budget Validation Warrant & Notice
  
- XI. Other Business and Adjournment
  - Approval Payable Warrant
  - Adjournment



# TOWN OF ARUNDEL

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

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## BUSINESS MEETING 5-26-20

### EXECUTIVE SUMMARY

**PUBLIC HEARING:** Hot Dog Cart: This is a return of a cart on Champion Auto Body property but operated by another. The necessary paperwork is completed and they are seeking approval from the BOS.

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

-Municipal Building: As you all know from our site visit on Tuesday last that what we all expected to be triple pane windows is not what was installed. I have spoken to Ouellet Construction and Port City Architects and have invited them to your meeting in the hopes we can resolve this matter. My major concern in this process is if the double-pane installed would prohibit the Town from achieving the Net-Zero goal we had with this building in combination with the Solar Panels. Bennett Engineering whom developed the Mechanical System has been asked to confirm this net zero understanding.

-Status of Summer Recreation Program: I have asked the Recreation Director to join us for this discussion. Her efforts in attempting to understand the restriction placed on activities through this pandemic has provided us a direction that we will be recommending. Sadly it will not be what she & I wish to pursue.

### BUSINESS

-Brimstone & Limerick Road: Roger Taschereau wishes to provide additional information he has gathered on this possible intersection upgrade.

-Food Truck-Hot Dog Cart: A formal vote on the status of this Cart will need to occur.

-RSU #21 Budget Validation: Review and signatures of the Warrant & Notice is required.

### OTHER BUSINESS AND ADJOURNMENT

- (a) Account Payable and Payroll Warrants: Provided at Meeting for review.



TOWN OF ARUNDEL  
**BOARD OF SELECTMEN**  
Monday May 11, 2020  
Arundel Town Office  
7 PM

Members present: Selectmen Jason Nedeau (by phone), Tom Danylik, Phil Labbe  
Velma Hayes (by Phone), Dan Dubois

Others: Town Manager Keith Trefethen, Roger Taschereau

**Call to Order:** Chairman Nedeau called the meeting to order @ 7:00PM. Because he was remote this evening the Board agreed to have the Town Manager coordinate the discussion.

**Approval of Agenda:** *MOTION Dubois second Labbe “approve agenda as presented passed 5-0.*

**Public Forum:** Roger Taschereau provided an update on the review of the Recreation Bus to be purchased. WC Cressey will be making all the repairs as where identified with the inspection by the Public Works Department.

**Approval of Minutes:** **MOTION Dubois second Danylik “approve minutes of April 27, 2020 as presented” passed 5-0. (Completed by Roll Call Vote)**

**Managers Report:**

**-Town Office Opening:** Town still looking to open doors to the public on Monday June 1<sup>st</sup>. Notifications have been provided to the public and the Town Clerk had a sign made to be set up on the 12<sup>th</sup> indicating the opening date and new hours to accommodate the public. Safety measures are being implemented along with Masks, Sanitizer and Air Filtration unit were purchased to assist.

**-Advertising Tax Collector/Customer Service:** Ads are out and within just a few days have over 40 submittals. Town Clerk & Manager will develop a short list for phone interviews and the in-person interviews.

**Reminder of Budget Board Meeting:** Meeting set for Tuesday the 12<sup>th</sup>. Looking to finalize all remaining budgets.

**Business:**

**Land Use Ordinance Citizen Petitions:** Manager, Planner and Town Attorney discussed the proposed Citizen Petition language being proposed to be added to the Land Use Ordinance. The issue was if this inclusion into the ordinance which seeks a stricter process than the State Statute is legal. The opinion was for this to be stricter, than the State Statute it would have to be included in the Town's Home Rule Charter. The ordinance provision will be removed and the Town will look for discussion and possible inclusion sometime in the fall and after a Charter Commission is enacted.

**Public Works Discussion on VW Grant and status of Truck:** Timing and when funding would be available was the issue. Truck must be paid for in full and the Grant Funds would only be released when the truck being taken out of service is destroyed as per the grant. Capital Reserve Funds are reconciled at the end of each fiscal year. As long as all the steps are completed within a given fiscal year with payment and reimbursement, towns ending cash flow will be a positive.

**Other Business and Adjournment:**

***MOTION Dubois second Labbe approve payable warrant as reviewed" passed 4-0-1 by roll call vote, Selectman Hayes abstains.***

***MOTION Nedeau second Labbe "to adjourn" passed 5-0 by roll call vote @ 7:41PM.***

Respectfully submitted,

Keith M. Trefethen  
Town Manager

**WARRANT TO CALL  
REGIONAL SCHOOL UNIT NO. 21 BUDGET MEETING  
(20-A M.R.S. § 1485)**

TO: Jennifer Foy, a resident of Regional School Unit No. 21 (the “Regional School Unit”) composed of the Towns of Arundel, Kennebunk, and Kennebunkport, State of Maine.

In the name of the State of Maine, you are hereby required to notify the voters of each of the municipalities within the Regional School Unit, namely, the Towns of Arundel, Kennebunk, and Kennebunkport, that a Regional School Unit Budget Meeting will be held at Kennebunk Elementary School, 177 Alewife Road, Kennebunk, Maine at 7:00 p.m. on June 16, 2020 for the purpose of determining the Budget Meeting Articles set forth below.

**ARTICLE 1A:** To elect a moderator to preside at the meeting.

**ARTICLES 1 THROUGH 11**  
**AUTHORIZE EXPENDITURES IN COST CENTER CATEGORIES**

- ARTICLE 1:** Shall the Regional School Unit be authorized to expend **\$19,437,623.72** for Regular Instruction?
- ARTICLE 2:** Shall the Regional School Unit be authorized to expend **\$8,828,323.46** for Special Education?
- ARTICLE 3:** Shall the Regional School Unit be authorized to expend **\$67,586.29** for Career and Technical Education?
- ARTICLE 4:** Shall the Regional School Unit be authorized to expend **\$1,324,204.35** for Other Instruction?
- ARTICLE 5:** Shall the Regional School Unit be authorized to expend **\$3,500,683.88** for Student and Staff Support?
- ARTICLE 6:** Shall the Regional School Unit be authorized to expend **\$1,379,407.60** for System Administration?
- ARTICLE 7:** Shall the Regional School Unit be authorized to expend **\$2,028,999.75** for School Administration?
- ARTICLE 8:** Shall the Regional School Unit be authorized to expend **\$3,086,829.05** for Transportation and Buses?
- ARTICLE 9:** Shall the Regional School Unit be authorized to expend **\$5,442,444.90** for Facilities Maintenance?
- ARTICLE 10:** Shall the Regional School Unit be authorized to expend **\$6,297,560.00** for Debt Service and Other Commitments?

**ARTICLE 11:** Shall the Regional School Unit be authorized to expend **\$177,190.00** for All Other Expenditures?

**ARTICLES 12 THROUGH 14**  
**RAISE FUNDS FOR THE PROPOSED SCHOOL BUDGET**

**ARTICLE 12:** Shall the Regional School Unit appropriate **\$33,732,880.98** for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and shall the Regional School Unit raise and assess the amounts set forth below as each municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688?

<b>Total Appropriated (by municipality):</b>		<b>Total Raised (and Regional School Unit assessments by municipality):</b>	
Town of Arundel	\$ 7,617,899.50	Town of Arundel	\$ 3,843,373.00
Town of Kennebunk	\$ 21,543,269.44	Town of Kennebunk	\$ 19,604,869.66
	\$	Town of	\$
Town of Kennebunkport	4,571,712.04	Kennebunkport	4,571,712.04
<b>Total Appropriated (sum of above)</b>	<b>\$ 33,732,880.98</b>	<b>Total Raised (sum of above)</b>	<b>\$ 28,019,954.70</b>

*Explanation: The Regional School Unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the Regional School Unit must raise and assess in order to receive the full amount of state dollars.*

**ARTICLE 13:** Shall the Regional School Unit raise and appropriate **\$4,909,733.00** for the annual payments on debt service previously approved by the Regional School Unit voters for non-state-funded school construction projects or non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the Regional School Unit's contribution to the total cost of funding public education from kindergarten to grade 12?  
**School Board Recommends**

*Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the Regional School Unit's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the Regional School Unit voters.*

**ARTICLE 14:** **(Written ballot required.)** Shall the Regional School Unit raise and appropriate **\$11,991,556.00** in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$11,991,556.00** as required to fund the budget recommended by the School Board?

The School Board Recommends **\$11,991,556.00**, which exceeds the State's Essential Programs and Services allocation model by **\$11,991,556.00**. The School Board gives the following reasons for exceeding the State's Essential Programs and Services funding model: The additional local funds represent local costs to support the RSU's school programs that are not included in the state's funding model including costs for special education programming, transportation, co-curricular, food service and extra-curricular programs and teacher salaries.

*Explanation: The additional local funds are those locally raised funds over and above the Regional School Unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Regional School Unit budget for educational programs.*

#### **ARTICLE 15 SUMMARIZES THE PROPOSED SCHOOL BUDGET**

**ARTICLE 15:** Shall the Regional School Unit authorize the School Board to expend **\$51,570,853.00** for the fiscal year beginning July 1, 2020 and ending June 30, 2021 from the Regional School Unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools?

#### **ARTICLE 16 RAISES AND APPROPRIATES FUNDS FOR THE SCHOOL NUTRITION PROGRAM**

**ARTICLE 16:** Shall the Regional School Unit raise and appropriate **\$177,190.00** for the school nutrition program with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the school nutrition program?

#### **ARTICLE 17 AUTHORIZES EXPENDITURES OF GRANTS AND OTHER RECEIPTS**

**ARTICLE 17:** In addition to amounts approved in the preceding articles, shall the School Board be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school and other program purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated?

**ARTICLE 18 AUTHORIZES A TRANSFER TO THE CAPITAL RESERVE FUND**

**ARTICLE 18:** Shall the School Board be authorized to transfer up to **\$100,000.00** from available fund balances to the School Capital Reserve Fund provided that said funds in the School Capital Reserve Fund may only be expended upon express authorization of the Regional School Unit?

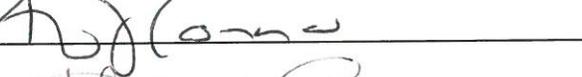
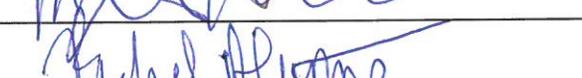
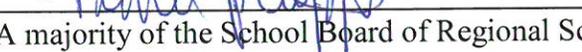
**ARTICLE 19 RAISES AND APPROPRIATES FUNDS FOR THE CAPITAL RESERVE FUND**

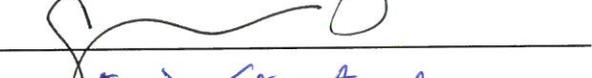
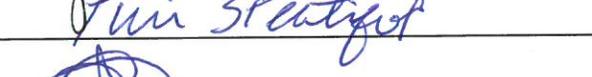
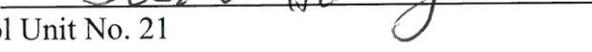
**ARTICLE 19:** Shall the School Board be authorized to raise and appropriate **\$172,000** to transfer to the School Capital Reserve Fund provided that said funds in the School Capital Reserve Fund may only be expended upon express authorization of the Regional School Unit?

**ARTICLE 20 AUTHORIZES THE DISPOSITION OF ANY ADDITIONAL STATE SUBSIDY RECEIVED**

**ARTICLE 20:** In the event that the Regional School Unit receives more state education subsidy than the amount included in its budget, shall the School Board be authorized to use all or part of the additional state subsidy to decrease the local cost share expectation, as defined in Title 20-A, section 15671-A(1)(B), for local property taxpayers for funding public education as approved by the School Board?

Given under our hand this day, May 11, 2020 at Kennebunk, Maine.

A majority of the School Board of Regional School Unit No. 21

A true copy of the Warrant, attest:

  
Jennifer Foy, Resident  
Regional School Unit No. 21

# ARUNDEL FOOD TRUCK APPLICATION

Name: ROBERT MIRISOLA

Mailing Address: 215 Wadleigh Pond Rd  
LYMAN ME 04002

Business location: 1632 Portland Road Arundel

Telephone: (207) 432 0701

Driver's License #: State ME # 0429163

Proof of Identity verified: \_\_\_\_\_

Copy of lease or permission from property owner:

Describe nature, character and quality of food to be sold: This is a hotdog CART selling Natural Caseing MEATS and Chips - Soda

Give specific location(s) where the food truck intends to conduct business:  
CART will be set up IN Front Parking lot

Times of operation:  
10 am to 6pm

Name & business address of any company or organization hired or employed by: NONE

Registration /License number of any vehicle used in business: NONE CART  
Will stay on premise . Stored over  
Night at Champions Auto Body  
Per permission of owner .

*I Agree -*  
*Soda To Go!!!*  
*[Signature]*

5/8/2020

I Chad Binette give permission to Rob Mirisola to run his hot dog cart (Fast Dogs) in front of Champion Auto Body. This was licensed to run Lil's Dog's last year 2019.



CART WAS previously LICENSED BY TOWN OF ARUNDEL TO Chad Binette . AT Champions Auto Body .



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
05/13/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Kennebunk Savings Insurance 50 Portland Road PO Box 770 Kennebunk ME 04043		<b>CONTACT NAME:</b> Megan Murphy CISR <b>PHONE (A/C, No, Ext):</b> (207) 985-2941 <b>E-MAIL:</b> megan.murphy@kennebunksavings.com <b>FAX (A/C, No):</b> (207) 985-3122 <b>ADDRESS:</b>	
<b>INSURED</b> Robert Mirisola 215 Wadleigh Pond Road Lyman ME 04002		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Patriot Insurance Co. <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

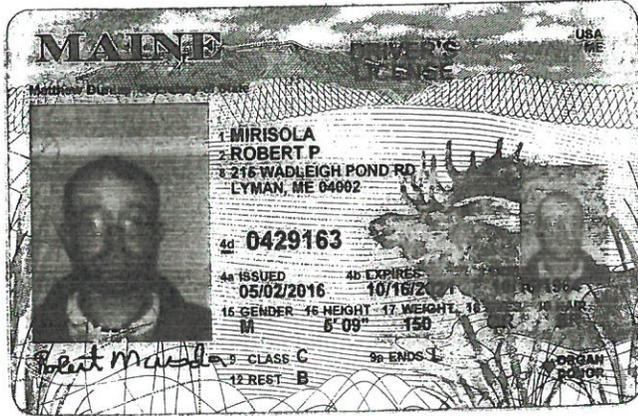
**COVERAGES**      **CERTIFICATE NUMBER:** 2020 master      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			TBD	05/13/2020	05/13/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
This Certificate of Insurance is issued as a matter of information only and confers no rights upon the holder and does not amend, extend or alter the coverage afforded by policies designated on the Certificate. Liability insurance issued with regard to a hot dog cart primarily kept at Champion Auto Body, Arundel, ME

<b>CERTIFICATE HOLDER</b> Town of Arundel Maine 468 Limerick Road Arundel ME 04046	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <i>Megan J. Murphy, CISR</i>
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ROBERT MIRISOLA  
P.O. BOX 968 207-432-0701  
WELLS, ME 04090

52-7450/2112  
55004607

1119

DATE MAY 15 2020

DELUXE WALLET OR DUPLICATE

PAY TO Town of Arundie \$ 250<sup>00</sup>/<sub>100</sub>  
THE ORDER OF Two Hundred Fifty DOLLARS

 **Kennebunk Savings Bank**  
Building Community Since 1871

MEMO HOT dog CART

Robert Mirisola NP

⑆ 2116274502⑆

SPECIALTY INK

**WARRANT AND NOTICE OF ELECTION CALLING  
REGIONAL SCHOOL UNIT NO. 21  
BUDGET VALIDATION REFERENDUM  
(20-A M.R.S. § 1486)**

TO: Jennifer Foy, a resident of Regional School Unit No. 21 (the "Regional School Unit")  
composed of the Towns of Arundel, Kennebunk and Kennebunkport, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the Regional School Unit, namely, the Towns of Arundel, Kennebunk and Kennebunkport, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective Municipal Officers. The Municipal Officers shall meet forthwith and countersign this warrant and notice of election. The Municipal Officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF ARUNDEL  
REGIONAL SCHOOL UNIT BUDGET VALIDATION REFERENDUM  
WARRANT AND NOTICE OF ELECTION**

York County, ss.

State of Maine

TO: Christopher Woodcock, Resident of Arundel: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

**TO THE VOTERS OF ARUNDEL:** You are hereby notified that a Regional School Unit budget validation referendum election will be held at Arundel Fire Station, 486 Limerick Road in the Town of Arundel on Tuesday, July 14, 2020 for the purpose of determining the following questions:

- Question 1: Do you favor approving the Regional School Unit No. 21 budget for the upcoming school year that was adopted at the latest Regional School Unit budget meeting?
- Question 2: Shall the School Board be authorized to expend up to \$250,000 from the Regional School Unit No. 21 Capital Reserve Fund previously established by Regional School Unit voters for the purpose of making improvements to track and field facilities at Kennebunk High School?
- Question 3: Do you favor paying a member of the Regional School Unit No. 21 Board of Directors compensation at the rate of \$25 for each full Board meeting that the member attends?

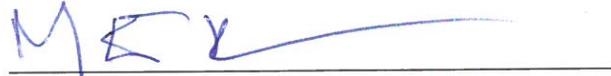
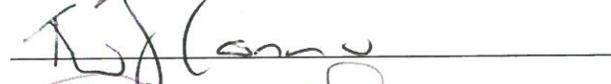
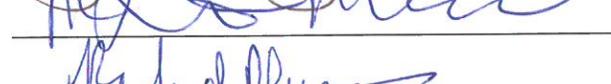
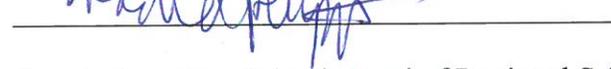
The polls will be opened at 8:00 a.m. and closed at 8:00 p.m.

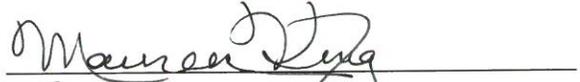
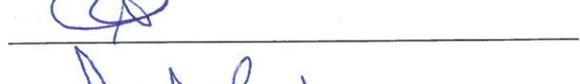
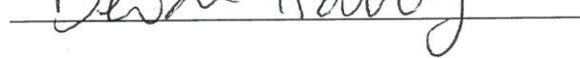
The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list, to accept the registration of any person eligible to

vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 11, 2020 at Kennebunk, Maine.

A majority of the School Board of Regional School Unit No. 21

A true copy of the Warrant and Notice of Election, attest:

  
 Jennifer Foy  
 Resident of  
 Regional School Unit No. 21

Countersigned this \_\_\_\_\_ day of \_\_\_\_\_, 2020 at Arundel, Maine.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

A majority of the Municipal Officers of Arundel, Maine

A true copy of the Warrant and Notice of Election, attest:

\_\_\_\_\_  
 Emily Nedeau, Municipal Clerk  
 Arundel, Maine