

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

www.arundelmaine.org

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**Monday April 27, 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. Approval of Agenda
- III. Public Forum – Public comment on non-agenda items
- IV. Approve Minutes of April 13, 2020
- V. Committee and Board Reports
- VI. Manager's Report
 - Friendly reminders quarantine letter
 - Installation of Health Screens
 - Furniture Review
 - Budget Meeting reminder
- VII. Business
 - Status of Recreation Bus
 - Discussion on Referendum Voting and ATM Dates & Location
 - Land Use Ordinance
 - Application for an On-Premises License/Bentley's Saloon
 - Special Amusement Permit Application/Bentley's Saloon
 - Vacation Accumulation
- 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

BUSINESS MEETING 4-27-20

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.

MANAGERS REPORT

-Reminder Letters Quarantine Letters: Letters were sent to Arundel Seasonal Cottages, and Campgrounds in Arundel. No reaction received from the letters other than Bentley's Campground who shared with me they are following the direction provided by the State of Maine.

-Installation of Health Screens: Just to bring you up to speed I am thinking about the day in the near future where we may be once again open to the public. Unless the Governor lifts her emergency order or extends it again we are looking at May 15th as that date. Staff and I believe we will be bombarded with many people wishing to Register Vehicles and carry on various amounts of business. I have taken the Liberty to put into action the placement of Plexiglas Health screens at the counter for the day we open. Public Works will perform the work. In addition I would like permission to modify the open hours at the Town Office until July 14th to assist those folks who cannot make our regular open hours and now may find it a challenge to get days off. The schedule would be open 4 days a week closed Friday and would be Monday 7a-5p, Tuesday 8a-5p, Wednesday 7a-6p, Thursday 8a-6p.

Furniture Review: Staff has had the opportunity to discuss Office Furniture with Creative Office Pavilion via Zoom and was provided 3-D viewing of the space and set up. Very helpful as we were able to tweak some needs for staff.

Budget Meeting Reminder: I am planning the meeting for Tuesday the 28th. Your materials and thoughts will be provided with your agenda.

BUSINESS

-Status of Recreation Bus: Recreation Director has looked into the lease of a new bus as requested by the board. New Bus cost is \$90,000.00+-. We would have to have a 20% down payment and then \$1,372/month for 60 months. These new buses come through as school buses so we would have to remove the light package and paint the bus, estimated at \$5,000+-. I believe this option is cost prohibitive based on the purpose of our bus and its frequency of use. I believe the option discussed on the 2017 Bus is our best option and one that can work within our budget restraints.

-Referendum Voting and ATM for FY 20/21: With the governor emergency order setting primary voting on July 14th my assumption is that our actions at the local level will follow suit. Therefore I am looking at the ATM to take place on

Wednesday July 15th at the ML Day Gym. I have confirmed with RSU #21 that July 14th & 15th can be used by the Town for voting and the ATM. This location will allow the social distancing needed to accomplish both tasks. I believe we need some action by the Board indicating that this is the official direction that the town will follow.

-Land Use Ordinance: I have reached out to Chairman Ganong and Planner Redway to join you in a discussion on the proposed changes in the Land Use Ordinance on Citizen Petitions.

-Bentley's Saloon: Have an application for an On-Premises License. Action is required by the Board.

-Bentley's Saloon: Application for a Special Amusement Permit. Action is required by the Board.

-Vacation Accumulation: A continuation from your last meeting is that we are attempting to find a way to address those employees who are at or will be at their vacation maximums. Present policy indicates that once at your maximum no further accumulation occurs until you drop below your maximums. As requested for the discussion I have provided a pay out beyond the maximum. It is my position to provide a carryover of these maximums for a three month period after the declaration of the emergency (COVID-19) is concluded. Use it or lose it and do not pay out as a result of the maximums reached.

OTHER BUSINESS AND ADJOURNMENT

(a) Account Payable Warrant

TOWN OF ARUNDEL
BOARD OF SELECTMEN

Monday April 13, 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, Jack Reetz (by phone), K. White-Rogers (by phone), Susan Mathison (by phone)

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 amended passed 5-0. (Completed by roll call with all members voting yes) Amendments were Committee reports RSU #21 Budget, Manager report discuss Public Works Quarantine, Recreation Bus.*

Approval of Minutes: *MOTION Dubois second Labbe “approve minutes of March 23, 2020 as presented” passed 5-0. (Completed by Roll Call Vote)*

Managers Report:

-Ouellet Letter: Mike Ouellet sent a letter about the possible delay in the Municipal Building project as a result of COVID -19. Chairman Nedeau mentioned the delays he is presently seeing is in the Finish materials.

-Governor’s Delay in voting: Action by the governor to delay primary voting to July 14, 2020 has the Manager looking @ July 15, 2020 for the Annual Town Meeting. Contact was made to the Town Attorney to gather additional details and also determine our authority to follow suit with the ATM on 7-15-20. Based on the information at this time our goal is for a 7-15-20 Annual Town Meeting.

-Maximum Accumulated Vacation Leave: Manager advised the Board that we have several employees who are at their respective maximums and was wondering how the Board wish to address the issue. Further discussion needed however the

Board wanted to understand the cost to the town if we allowed a one-time cash payment in lieu of taking the accumulated vacation. More info to follow.

-Public Works Quarantine: Manager advised the Board that one employee who lives with another PW employee, was feeling ill (headache, fever, etc) Contact was made to his Doctor who advised him to self quarantine for 14 days. We lost two employees as a result. Rest of employees are out of work until we can determine what the protocol is for essential employees who are not showing any symptoms.

-Recreation Bus: Attempting to inspect the recreation bus by staff it was discover significant rust exists on the rear cross member, rear panel and stairs, cost to repair \$5,400+-. Board members felt we should look at the lease of a new bus instead of purchasing a late model bus with low miles. More information to follow.

Business:

-York County Budget Committee: Meeting to appoint an individual is set for 4-15-20 @ York County Court House. We have two members of Arundel who have shown an interest to serve (Jack Reetz and John Bell) ***MOTION Dubois second Danylik “endorse John Bell to serve on the York County Budget Committee” passed 5-0 by roll call vote.*** Selectmen Nedeau-Danylik-Dubois will attend Caucus to move this recommendation.

-Liquor License Vinegar Hill Music Theatre: ***MOTION Hayes second Labbe “approve the application of Vinegar Hill Music Theatre as reviewed” passed 4-0-1 by roll call vote with Selectmen Danylik’ abstaining.***

Other Business and Adjournment:

MOTION Dubois second Danylik approve payable warrant as reviewed” passed 5-0 by roll call vote.

MOTION Dubois second Labbe “to adjourn” passed 5-0 by roll call vote @ 8:12PM.

Respectfully submitted,

Keith M. Trefethen
Town Manager

DAIMLER

Mercedes-Benz Financial Services

Date of Quote: April 13, 2020

Town of Arundel Maine Parks and Rec

Mercedes-Benz Financial Services USA, LLC ("MBFS") is pleased to offer the following pricing quotes to finance the acquisition of various vehicles as described below:

Borrower: Town of Arundel Maine Parks and Rec
 Issue Type: Tax-exempt Installment financing of the following equipment, subject to annual appropriation.

ITEM	DESCRIPTION OF EQUIPMENT	No of Units	COST
Equipment	(1) 2017 Thomas Bus C2	1	\$65,900.00
Equipment			
Equipment			
Equipment			
Other Equipment			
None			
Amount to Finance:		TOTAL AMOUNT FINANCED:	<u><u>\$65,900.00</u></u>

OPTION 1	
Term	5
Periodicity	AADV
Rate	3.73%
Payment	\$14,467.68
+ Balloon \$	

OPTION 2	
Term	6
Periodicity	AADV
Rate	3.59%
Payment	\$12,225.00
+ Balloon \$	

Interest Rate Expires: **May 6, 2020**
 Quote No. 43927

The quoted Interest Rate assumes the Borrower designates the Installment Purchase as Tax Exempt pursuant to the IRS Code. To preserve the Tax Exempt structure of this installment Purchase, **all payments listed above (including Balloon, if any) are REQUIRED payments, not optional, and are required to be made by Borrower to MBFS.**

Subject to credit qualification and based on the terms described above, MBFS is quoting the Interest Rates as shown in the tables provided above. This quote and the Interest Rates stated herein expires as of the Date shown on this pricing quote and shall have no effect on any prior documentation signed by the parties. Should funding of this schedule occur after the expiration date, current pricing may be used. This pricing quote is not a commitment and is subject to credit approval by MBFS; credit qualification based on the terms of the transaction; verification of eligibility for tax-exempt financing; and mutually agreeable documentation executed and submitted to MBFS for funding. Any subsequent pricing quote, Commitment Letter or documentation executed by the parties will supersede and replace this pricing quote.

No changes in federal or applicable state or local tax law, regulations, case law, rulings, or other interpretations by the Internal Revenue Service that would affect any Federal, State or Local tax benefits are assumed in determining the above Quotes.

LEGAL OPINION: In the event that the "Amount to Finance" is over \$500,000., the Borrower's Counsel shall furnish MBFS with an opinion covering this transaction and the documents used herein. This Opinion shall be in a form and substance satisfactory to MBFS

Sincerely,
 Mercedes-Benz Financial Services
 Riley Holland

MBFS
Reference No



EXHIBIT A

Article 3

DELETE SECTION 1.8.2.1.C AND REPLACE WITH THE FOLLOWING

c. Citizen Petition: The petitioner shall be a registered voter from the Town of Arundel and shall submit an application to the Town Clerk specifying the full text of the proposed ordinance or ordinance revision. The completed application must contain the names, addresses and signatures of five (5) voters registered in the Town of Arundel, in addition to the applicant, who are designated to receive any notices related to the processing of the application. The voter submitting the application must sign it in the presence of the Town Clerk or the Clerk's designee, or a notary public.

- (1) **Referral to Town Attorney:** Within ten (10) days of receipt of the application, the Town Clerk shall forward the proposed Ordinance language and citations to the Town Attorney for review of coherent language construction, compliance with state and federal law, and compatibility with other related Ordinances and laws of the Town of Arundel.
- (2) **Review for proper form:** The Town Attorney shall review the proposed law for a direct initiative of legislation within thirty (30) business days after receipt of the application and either reject the application or provide a first revised draft of the initiative legislation to the applicant within that time. Basis of rejection of proposed text shall be attributable to one or more of the following:
 - a) Incorrect allocation, numbering, or integration with existing Town Ordinances, regulations, or codes;
 - b) Confusing, contradictory, or unclear language;
 - c) Legal conflicts with existing Federal or State laws or other Town Ordinances, regulations, or codes;
 - d) Provisions that describe intent or make testimonial statements without creating a legal requirement or duty.

Subsequent amendments by the applicant to proposed ordinance amendments shall be reviewed by the Town Attorney within thirty (30) days of receipt from the Town Clerk.

- e) **Issuance of Petitions:** Upon receipt of the proposed legislation approved by the Town Attorney, the Town Clerk will issue to the applicant petition forms that contain the full text of the proposed zoning amendment(s) and are affixed with the Town Clerk's original signature. Any additional petition forms requested by the applicant shall bear the original signature of the Town Clerk.
- f) **Petition Signatures and Submission:** Petition forms requesting amendment of this ordinance shall be deemed valid for 180 days after issuance by the Town Clerk. Completed citizen petition forms shall be filed with the Town Clerk, signed by at least ten percent (10%) of the registered voters of the town based on the latest gubernatorial election. The Town Clerk shall verify the voter signatures.
- g) **Referral to Town Meeting:** If the Clerk verifies that the signatures are valid, the Town Clerk shall notify the Board of Selectmen and Planning Board of the proposed amendment for consideration at the next town meeting. The Planning Board shall then carry out the other procedural requirements of this section.

1.8 AMENDMENTS TO THE LAND USE ORDINANCE

1.8.1. AUTHORITY

The legislative body of the Town of Arundel may from time to time amend the boundaries of the districts established on the Official Land Use Map or the regulations set forth in this ordinance.

1.8.2 PROCEDURE ON AMENDMENTS

1. Proposed Amendment by Municipal Officers, Planning Board or Upon Petition.

If either the Municipal Officers or the Planning Board desire to propose any changes to this ordinance, or if a citizen petition as set forth herein is brought, the following procedure shall be followed:

- a. If the proposal is initiated by the Municipal Officers, they shall formally request the Planning Board to hold a public hearing as set forth below, and to carry out the other procedural requirements of this section.
- b. If the proposal is initiated by the Planning Board, it shall be by majority vote of the Board.
- c. If a petition requesting amendment of this ordinance is submitted, signed by at least ten percent (10%) of the registered voters of the town based on the latest gubernatorial election and filed with the Town Clerk, the Clerk shall verify the signatures. If the Clerk verifies that the signatures are valid, the Town Clerk shall notify the Board of Selectmen and Planning Board of the proposed amendment for consideration at the next town meeting. The Planning Board shall then carry out the other procedural requirements of this section. (Amended June 10, 1997)
- d. As soon as the amendment procedure is initiated by any of the above methods, the Board shall cause the Town Clerk to give public notice of a public hearing on the proposed changes, which notice shall be posted at the Arundel Town Hall and be published in a newspaper of general circulation in the town thirteen (13) days prior to the date of the hearing and published again seven (7) days prior to the date of the hearing. The notice shall contain the time, date, and place of hearing and sufficient detail about the proposed changes as to give adequate notice of their content. If the proposed changes are extensive, a brief summary of the changes, together with an indication that a full text is available at the Town Clerk's office shall be adequate notice.
 - 1) Prior to a public hearing the individuals requesting the amendment shall pay to the Town Clerk a fee, in an amount specified by the Board of Selectmen's Schedule of Fees, to cover staff, professional and advertising expenses. If the actual costs exceed this amount then the individuals requesting the amendment shall be responsible for the balance to be paid prior to Town Meeting.. (Amended November 13, 2007) (Amended January 8, 2018)
 - 2) The public hearing shall be held by the Planning Board.
 - 3) As soon as possible after such public hearing and in any event within forty-five (45) days thereafter, the Planning Board shall make a written recommendation, for or against the proposed changes to the Board of Selectmen.
 - 4) This ordinance may be amended by either: ballot referendum vote or a vote at the annual or special town meeting. (Amended November 7, 2000)

2. Proposed Amendment by Individuals

Any owner of property, or holder of a valid option or sales contract for purchase of property, may propose the redistricting of that property into another district. In such case the following procedure shall be followed:

- a. The applicant shall file with the Town Clerk an application signed by him which shall give an adequate description of the property for which the redistricting is requested, and shall indicate clearly what redistricting is requested. The applicant shall also furnish the Town Clerk with a plan showing this property in relation to the present district boundaries, with sufficient detail to adequately identify it. The applicant shall also at this time pay to the Town Clerk a fee in an amount specified by Board of Selectmen's Schedule of Fees to cover staff, professional and advertising expenses. If the actual costs exceed this amount then the individuals requesting the

Section 1.0 Authority & Jurisdiction

amendment shall be responsible for the balance to be paid prior to Town Meeting. (Amended November 13, 2007) (Amended January 8, 2018)

- b. Immediately upon receipt of such an application, the Town Clerk shall forward a copy thereof to the Planning Board, which shall promptly schedule a public hearing on the application in accordance with procedures set forth in Subsection 2.A. The Planning Board shall promptly notify the Town Clerk of the date, time, and place of hearing, and the Clerk shall inform the applicant. It shall be the responsibility of the applicant to find out from the Clerk the details of the hearing in order to post the required sign as required by the following section
- c. At least ten (10) days prior to the scheduled hearing, the applicant shall erect at his expense, on the property, in a conspicuous location, a sign containing not less than nine (9) square feet of area, with a white background on which shall be written in letters a least three (3) inches high:

NOTICE TO THE PUBLIC

An application has been filed with the Town Clerk requesting that this property be redistricted from (insert present district name) to (insert proposed district). A public hearing will be held at (insert place) on (date) at (time). All those having an interest in this application should be present.

/s/

Applicant

Address

The applicant shall also be responsible for maintaining this sign continuously in the same location until the date of the hearing. The C.E.O. shall verify the installation of, and monitor the maintenance of the sign.

3. Upon receiving notification from the Planning Board of the details of the hearing, the Town Clerk shall:
 - a. At least fourteen (14) days prior to the scheduled hearing post notice at the Arundel Town Hall and give written notice, with sufficient information to identify the property, the district change requested, and the applicant to all property owners of record, (as evidenced by the town tax files) within five hundred (500) feet to the subject property. This notice shall be sent by regular U.S. mail, first class, postage prepaid, at least fourteen (14) days prior to the scheduled hearing. Failure of any actual property owner to receive such notice, for any reason, shall not invalidate the amendment proceedings.
 - b. Publish a copy of such notice, in a newspaper of general circulation in the town, in two issues of such paper, at least fourteen (14) days and seven (7) days prior to the scheduled date of the hearing.
4. The public hearing shall be held by the Planning Board.
5. As soon as possible after such public hearing and in any event within forty-five (45) days, the Planning Board shall make a written recommendation, for or against the proposed changes to the Board of Selectmen. The applicant may be required by the Planning Board to post a performance bond equal to at least 25% of the estimated cost of the development, payable to the Town if the project is not substantially constructed within one year of the effective date of the redistricting.
6. After the Board of Selectmen conduct a public hearing this official map may be amended by either: ballot referendum vote or a vote at the annual or special town meeting.

1.8.3 ADOPTION OF AMENDMENTS

Amendments to the Arundel Land Use Ordinance shall be adopted by a majority of the electorate either at a ballot referendum vote or a vote at the annual or special town meeting.

1.9 OMITTED USES

Any land use that is not specifically identified as a permitted or a conditional use in this Ordinance shall be prohibited. Retail marijuana uses as defined in 7 M.R.S.A. §2442 not specifically identified as a permitted or condition use in this Ordinance shall be prohibited. (Amended January 8, 2018)

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|---|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

1601 Portland Rd., Arundel, ME 04046

6. Is the licensee/applicant(s) citizens of the United States? Yes No

7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes No

Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? Yes No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Bentley Warren III	12/10/2040	Massachusetts
Lisa Zatalava	02/23/2063	Pennsylvania

Residence address on all the above for previous 5 years

Name Bentley Warren III, 345 Old Post Rd., Arundel, ME 04046
 Address:

Name Lisa Zatalava, 4213 New Haven Ct., Port Orange, FL 32127
 Address:

Name _____
 Address:

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? Yes No

17. Does the licensee/applicant(s) own the premises? Yes No

If No, please provide the name and address of the owner:

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 0.00

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

restaurant and full service bar

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: chapel

Distance: 1.00

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 4/13/2020

Bentley Warren
Signature of Duly Authorized Person

Lisa Zatalave
Signature of Duly Authorized Person

Bentley Warren
Printed Name Duly Authorized Person

Lisa Zatalave
Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? Municipal Officers of _____

County Commissioners of _____ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

SEE ATTACHED DIAGRAM.

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Bentley's Saloon, LLC.
2. Doing Business As, if any: -
3. Date of filing with Secretary of State: 05/24/2004 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: -
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Bentley Warren III	345 Old Post Rd., Arundel, 04046	12/10/2040	owner	100.0000

(Ownership in non-publicly traded companies must add up to 100%.)



April 13, 2020

Dear Selectmen/woman,

We hope everyone is in good health. We look forward to seeing you all soon and anticipate the cure for COVID19 sooner than later! In hopes that we will be able to re-open sometime this season, we are submitting the Liquor License and Special Amusement Permit Applications for review and approval at the April 27, 2020, Selectmen's meeting.

Also included is the schedule of events that were initially planned for 2020 to extend into our parking lot areas wherein we request permission for consumption of alcohol in these areas as depicted on the map attached to the liquor license application. As we normally do, we will have our staff watch and control the areas, which are fenced in and/or taped with security.

As we are governed and when we feel it is safe for our employees and community, we will announce a re-opening date and reschedule and/or cancel the events outlined on the attachment.

Thank you, and if we can do anything for the community in this time of uncertainty, please let us know.

Sincerely,

Lisa Zatalava

Lisa Zatalava, Managing Partner

1601 Portland Road (Route 1), Arundel, ME 04046
207-985-8966 phone / 207-985-8968 fax
www.bentleyssaloon.com
info@bentleyssaloon.com email



Dates for Alcohol Consumption in Parking Lot Area for 2020

- Sunday, April 26 – Patriot Riders of America: Spring Ride for the Troops Bike Run – *currently working on reschedule date*
- Sunday, May 3 - First Car Show of the Season (rain date Sunday, May 10)
- Saturdays, May 9, June 13, July 11, August 8, September 12 & Sunday, October 11 – monthly Corn Hole Tournaments
- Tuesday, May 12- Tuesday, September 15 (weather permitting)-every Tuesday night Car Show
- Sunday, May 17 – Masonic Youth Run - *currently working on reschedule date*
- Friday, May 22- Monday, May 25-Memorial Day weekend
- Wednesday, June 3 - All Eras Race Car Show
- Friday, June 12 - Sunday, June 21- Annual Biker Rally Week/Laconia Bike Week
- Saturday, June 27 – Widow's Cup Bike Rodeo
- Sunday, June 28 – Hooligan Warriors Ride
- Friday, July 3 – Sunday, July 5 - Independence Day weekend
- Sunday, July 12- Kora Shriners Day
- Wednesday, July 15 – Nascar Meet & Greet
- Saturday, July 18 – UBM Toy Run
- Friday, August 7 – Lee USA Speedway Run
- Saturday, August 22 – Bikers Against Bullies Run
- Friday, September 4 - Monday, September 7- Labor Day weekend
- Saturday, September 12 – Doc's Ride
- Saturday, September 19 – Herb Noble Memorial Bike Run to benefit Barbara Bush Children's Hospital
- Sunday, September 20- Season End Car Show (rain date Sunday, Sept. 27)
- Friday, October 9- Monday, October 12 - Columbus Day weekend

Aside from the above dates, Bentley's Saloon requests that we be granted permission for alcohol consumption in the parking area every weekend from April 24, 2020 through October 18, 2020. We do not anticipate alcohol consumption in the parking area every weekend; however, in the circumstance that an unscheduled event arises and/or it is an exceptional weekend, we would like the opportunity.

1601 Portland Road (Route 1), Arundel, ME 04046
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info@bentleyssaloon.com email

**TOWN OF ARUNDEL
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

1. Applicant's Name: BENTLEY WARREN / LISA ZATALAVA 201-205-0666
Resident Address: 345 OLD POST RD, ARUNDEL, ME Home Phone 386-882-5975
If less than 5 years list former addresses _____

2. Name of Business: BENTLEY'S SALOON Bus. Phone 207-985-8966
Business Address: 1601 PORTLAND RD, ARUNDEL, ME Tax Map. 30 Lot 32A

3. Nature of Business: SALOON & RESTAURANT

4. Describe in detail the kind and nature of entertainment/ers proposed and hours/days of operation:
LIVE MUSIC, KARAOKE - SUNDAYS 8:30am-10pm, MON & TUESDAYS 11am-10pm,
WED, THURS & FRIDAYS 11am-12:30am, SATURDAYS 8:30am-12:30am

5. Describe the location or rooms to be used under this permit: ON THE PREMISES OF 1601
PORTLAND RD, MAINLY WITHIN THE STAGE AREA OF THE REAR BUILDING,
ON THE NORTHERN END OF THE PROPERTY

6. Has the applicant ever had a license to conduct business herein described, either denied or revoked?
YES ___ NO X. If yes, describe circumstances _____

7. Has applicant including any partner or corporate officers ever been convicted of a felony?
YES ___ NO X. If yes, please describe circumstances _____

8. Attach a copy of applicants current liquor license. Expiration date of current liquor license: 6/24/20

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments thereto and that all the information is true and complete. I authorize the Town of Arundel, through it's designated officials, to enter the property (including buildings and accessory structures) that is the subject of this application, at reasonable hours, to determine the accuracy of any information provided herein and to determine the state of compliance with conditions of the permit. I am aware that there are significant penalties for submitting false information, including the possibility of fines, imprisonment and revocation of license.

FEE OF \$50.00 (plus advertising + \$35.00) MUST ACCOMPANY THIS APPLICATION.

DATE: 4/13/2020

Bentley Warren
Signature of Authorized Applicant

BENTLEY'S SALOON, LLC.
Name of Corporation

(If Corporation, Authorized officer)

(Place Corporate Seal)

APPLICATION MUST BE SIGNED BY A MAJORITY OF THE MUNICIPAL OFFICERS

DATE: _____

EMPLOYEE by Dept	Hire Date	Yrs of Svc as of 06/30/20	Max Accum Hrs Allowed	RATE	Vac Hrs Over Max	GROSS
Codes	2/3/2005	15	160	\$30.12	2.68	\$80.72
Assessor	9/13/2005	14	160	\$29.70	0.00	\$0.00
Planner	9/14/2009	10	120	\$32.32	19.66	\$635.41
Admin	6/25/1990	30	200	\$27.33	0.00	\$0.00
Admin	6/11/2014	6	120	\$23.50	16.18	\$380.23
Admin	8/1/2017	2	120	\$20.64	0.00	\$0.00
Admin	7/21/2003	16	160	\$22.75	0.00	\$0.00
Admin	6/1/2015	5	160	\$42.15	20.55	\$866.18
Fire Dept	11/14/2018	1	120	\$26.73	0.00	\$0.00
Fire Dept	11/1/2000	19	160	\$23.25	0.00	\$0.00
Public Works	6/30/2014	6	120	\$26.75	17.47	\$467.32
Public Works	11/1/1997	21	200	\$29.46	25.05	\$737.97
Public Works	5/20/2019	2	120	\$19.18	0.00	\$0.00
Public Works	6/6/2019	1	120	\$18.50	0.00	\$0.00
Public Works	10/1/1989	29	200	\$38.39	17.70	\$679.50
GA/ Soc Svcs	3/2/1987	32	200	\$26.83	0.00	\$0.00
Rec	6/21/2019	1	120	\$18.00	0.00	\$0.00
Rec	10/13/2011	8	120	\$16.50	0.00	\$0.00
Rec	5/7/2003	17	160	\$26.08	0.00	\$0.00
						\$3,847.34