

Maine Townswoman

The Magazine
of the Maine Municipal Association

MAY 2017

Dealing With a Dangerous Pest

Island communities
face especially tough
tick-borne challenges



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Let the Good Times Roll



More than 11 years have passed since the former Hollywood Slots opened. Today, Maine has two full-fledged casinos, in Bangor and Oxford. For the most part, the experiment is working, but the future may be less certain.

Workshops about labor and employment remain in demand at Maine Municipal Association. Good thing we have several scheduled, including a major conference on June 15. [Page 5](#)

The Town of Madawaska has taken to social media in a major way as it tries to interest young adults in civic participation. [Page 15](#)

Island Ticks

Ticks are particularly difficult for island communities, yet the mix of year-round and seasonal residents can make addressing the problem a challenge.

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Middle School Wisdom

Students from Athens, Bath and Nobleboro were winners in MMA's Sixth Annual Student Essay Contest. Read the winning entries here. [Page 19](#)

Town Meeting Trends

No surprise here: Legalized marijuana was a hot topic as the 2017 Town Meeting season got into full swing. [Page 25](#)

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A MESSAGE FROM MMA

BY ERIC CONRAD / EDITOR

Training for members, in a complex labor environment

“Do more with less.”

It may be the worst phrase, yet one of the most-cited, in employee management history.

Historians trace the saying to World War II, when Americans not fighting in Europe or the Pacific were told to buckle down back in the states, both at home and on the job.

Some labor experts say the phrase came back into vogue around 2008, when the national economy – led by the U.S. housing market – collapsed. The stock market dropped 28 percent during one historically bad week. Businesses folded and downsized. Tax revenues fell, even as demand for local, state and federal government services grew.

Every organization was squeezed and, as we all know, the last downstream employer in the public sector is named town or city hall.

Today, Maine Municipal Association offers a series of training programs aimed at helping employers get the most from their staffs, while not running afoul of the increasingly complex web of state and federal laws that limit how aggressively people can be managed.

Guess what? The classes are among the most popular that MMA offers. Even though the national economy has picked up in recent years, the financial pressure on towns and cities has not eased, in large part because of Maine’s over-reliance on the property tax. So the pressure is still on.

On April 25, MMA hosted a session called “Personnel Practices,” which was instructed by attorneys from the law firm Bernstein Shur. The Christopher G. Lockwood Conference Center at our home base in Augusta holds 85 people, and the workshop sold out weeks before it was held.

Linda McGill, an attorney for Bernstein Shur who leads many of MMA’s labor-related workshops, said the popularity of the topic is no surprise.

“The hardest part is keeping up with all the changes that can come at you,” McGill said, “from the state Legislature, the feds and the courts.”

Public employers face a greater burden than businesses do because there are Constitutional limits on what governments can do, and because public-sector workers are more likely to be unionized, she said.

“Public employers have to make sure things are, and appear to be, fair,” said McGill.

During her April 25 remarks, she talked about a local government department head in Maine who took appropriate action against a worker who did something outlandish, and unsafe, on the job. That department head, however, had not documented that he held one meeting along the due-process pathway. The conversation did occur, but there was no record of it. As a result of that slight oversight, the employee’s termination was reversed by the courts.

On top of that, Maine’s new, citizen-initiated law legalizing the recreational use of marijuana poses a challenge to municipal employers as well. Towns and cities employ ambulance and snow plow drivers, parks and recreation instructors, police officers and many more people who are in jobs where safety is jeopardized if an employee is impaired. There are all kinds of new questions regarding legal marijuana use, McGill explained.



Scene from the 2016 Municipal HR-Management Conference, Thomas College, Waterville. (Phot by Ben Thomas)

On June 15, MMA will hold its third annual Human Resources & Management Conference at Thomas College in Waterville. The issue of managing employees and legal marijuana use is one of many timely topics on the conference program. We design this conference for municipal department heads and elected officials who want to spend one valuable day learning about a wide range of management and labor issues.

Throughout 2017, MMA will hold workshops on Employment Law (Nov. 15), Verbal Judo (dealing with discourteous citizens and co-workers, Oct. 27) and Customer Service Excellence (July 31). All

of those deal with employee challenges and issues. You can read about them, and more, in our 2017 Training Calendar online: <https://memun.org/TrainingResources/WorkshopsTraining.aspx>

We hope to see you at the HR-Management Conference on June 15 and/or at any of the individual workshops we have planned through the rest of the year.

Managing in the 21st Century is not about “doing more with less.” It’s about building a productive, efficient municipal work force, while keeping your town or city out of court and out of trouble. ■

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On Islesboro and other islands, no love lost for ticks and Lyme

Some argue that culling island deer herds is a crucial way to fight the debilitating disease, while others say education and prevention are the ways to go.

By Steve Solloway

John Gorham couldn't have known he'd become an important statistic when he walked into a doctor's office in 2002 complaining of extreme fatigue and aching joints. He was a 50-year-old man then, someone who didn't mind hard, physical labor.

Gorham had never felt so tired. He couldn't recall when his shoulders, elbows and knees had barked at him like this. Gorham was told to take off his shirt. The doctor found the deer tick and the tell-tale red rash almost immediately. Tests done at a laboratory far from Maine confirmed what the doctor first suspected: Gorham had Lyme disease.

He became the first resident of Islesboro to get the tick-borne disease, according to town health records. It would still take several years and an ever-escalating number of other Islesboro residents diagnosed with confirmed cases of Lyme before the alarm went out: Folks, we have a public health issue.

"I had never thought to look (for a tick on his body)," said Gorham, sounding almost sheepish after 15 years. "We didn't have the education then."

Lyme disease, a bacteria that can cause joint pain and severe headaches in humans, was diagnosed first in Old Lyme, Conn. in 1975. Lyme is transmitted by the bite of an infected deer tick that has attached itself to a person for 24 to 36 hours. The disease was initially thought to be relatively confined to the Middle Atlantic States. Statistics in this century have proven otherwise.

In 2007, there were 530 diagnosed cases of Lyme disease in Maine. Islesboro had seven cases that year. The



A deer-discouraging fence surrounds this island garden area. (Submitted photo)

number jumped to 18 the next year and sparked the town's efforts to get on top of what was finally identified as a public health issue.

By 2016, the statewide number was up to 1,439. The Islesboro Health Center saw 132 people walk through the door after a tick bite. The year-round population is about 550; summer residents swell that number to about 2,000.

Lyme by the numbers

Of the 132 patients, 56 had the tick bite for 24 hours or more, which indicated a suspicion of infection. They were given a one-time dose of the antibiotic doxycycline. Twenty-eight others showed symptoms of Lyme and were given a three-week course of the antibiotic. Twenty-five more showed the tell-tale bulls-eye rash or tested positive with a blood test, and those results reported Maine's Center for Disease Control. This group, too, was given the three-week course of the antibiotic. Twenty-three patients were observed who did not require treatment.

"Lyme disease is the primary tick-borne illness on Islesboro and rates of confirmed diagnosis vary from year to year," says Dorie Henning, a Nurse Practitioner at the health center. "But (the numbers) are steadily rising."

Henning practiced at the North Haven Medical Clinic for six years before coming to Islesboro in 2015. She was born and raised on the south shore of Long Island, N.Y., an "endemic multiple tick-borne disease area." She describes Islesboro as an "extremely" pro-active community, concerned with preventing, diagnosing and treatment.

Maine's offshore island communities have become especially vulnerable. While small animals, including fox and household pets and rodents can carry infected ticks, as well as birds, the blood host of choice is apparently white tail deer, say researchers at Maine Medical Center's Vector-borne Disease Laboratory in South Portland.

Deer have few, if any, predators on Maine offshore islands. Islesboro, in Waldo County, is about three miles

Steve Solloway is a freelance writer from Hallowell, ssolloway@roadrunner.com.

away from Lincolnville on the mainland. For much of the past 10 years, the five-member board of selectman, the Islesboro Health Center and virtually all parts of the community have worked together to identify the problem of tick-borne disease and look for solutions to effectively manage the public health risk.

Other islands are in similar situations.

The Vector-borne Disease Laboratory started working with Monhegan Island in 1990. Isle au Haut asked for assistance in learning more about the tick-borne disease problem two years later. Swan Island, Long Island and Cliff Island followed. Islesboro, through Linda Gillies, contacted the lab. Vinalhaven, North Haven and Frenchboro are more recent communities.

Yet, according to Islesboro Town Manager Janet Anderson, there has been little, if any, interaction among the island communities in sharing ideas for solutions. No other town manager has contacted her with questions.

The Islesboro Board of Selectmen has been pro-active in establishing committees, listening to tick-borne disease experts and approving hunts to reduce the local deer herd, which by professional estimates, numbers 50 to 60 deer per square mile. The process, including town votes, has come with a cost. Islanders weren't shy in stating their views on either side of the deer reduction issue, said Anderson, who has been a municipal employee on the island for several decades.

"It's complicated," said Linda Gillies, secretary for many of Islesboro's tick-borne disease committees over the years. She wasn't referring to the science but to personalities and human emotions that come into play when managing ticks and their mammalian hosts. "It got contentious."

The poster boy

Gorham, now 65, and general manager of the Dark Harbor Boat Yard on adjacent 700-acre island, jokes that he has become the poster boy for Lyme on Islesboro for being the first confirmed Lyme case. His wife, Cindy Gorham, is the Islesboro town clerk. Two sons were bitten by ticks and infected with Lyme. One son developed Lyme a second time from

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a second bite. A member of his boat yard crew got Lyme disease.

Gorham is eager to spread awareness and recount his own experience, but believes education is the better solution.

"I never saw the tick that bit me," said Gorham, who works on an adjacent island, lives on Islesboro and has a camp in Glenburn, near Bangor. "I don't know where or when. It could have happened at camp.

"I don't think they'll ever solve the problem of Lyme by killing deer. That's the best Band-Aid, not the best solution. Too many other animals carry ticks. I like looking out my window and seeing deer."

Others share that view. Gorham is a University of Maine graduate, majoring in business. Like many Islesboro year-round residents, he's active in the community. Currently, he serves on the school board. "This is as divisive an issue as I've ever seen on the island. The bittersweet thing is, it's got everybody talking and that's good."

Today, many year-round residents believe the deer count estimates are inflated and don't view deer as the

enemy. Their eyes tell them there are fewer deer. Gillies, who served on the Deer Reduction Committee, said three special hunts from 2012 to 2014 drove the herd deeper into the two islands' forests.

Gillies said evidence of little to no new growth in the town's forested areas speaks to too many deer turning to browsing on saplings to survive. She wonders when islanders will have to import firewood from the mainland.

She points to a tall fence, perhaps 12 feet high, that surrounds the Islesboro Central School's gardens to keep out hungry deer.

After three special deer hunts failed to reduce the deer herd to a goal of 10 animals per square mile, the board of selectmen proposed hiring White Buffalo, Inc. a professional group of sharpshooters that is in the business of culling deer herds. White Buffalo eradicated deer on Monhegan

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Island after three hunts from 1996 to 1999.

But Monhegan is about 12 nautical miles offshore and, while deer are strong swimmers, that distance can be an effective barrier to migration. Islesboro is much closer to the mainland.

Voted down

Islesboro voters rejected the article to hire White Buffalo at a special town meeting in 2015, by a vote of 148-87. A year later, an article to request the state legislature to allow the Town of Islesboro to participate in the Maine State Firearms deer hunting seasons in 2016 through 2018 was proposed at another special town meeting. Islesboro has permitted hunting with bow and arrow and shotguns in the past. Use of hunting rifles had been banned. The article was rejected, 81-41. Two weeks later, selectmen suspended its Deer Reduction Committee and asked the Tick-borne Disease Prevention Committee to develop an expanded education program.

Gillies and the committee, which includes Henning, threw themselves

into developing the www.ticksonislesboro.com website and a set of four brochures detailing four aspects of tick-borne disease, ranging from prevention and control of ticks to understanding the ecology. The brochures are available at public places such as the ferry terminals on Islesboro and Lincolnville, the Islesboro Post Office and town office.

"We went into high gear," said Gillies. The public health issue was too important to walk away from after the sharpshooter proposal was defeated. Everyone is a potential victim of Lyme disease or anaplasmosis, another tick-borne bacteria that shares the same symptoms of Lyme but can cause cardiovascular changes such as an increased heart rate. Anaplasmosis is less familiar, but two cases were confirmed at the Islesboro Health Center in 2015 and none in 2016.

Both the website and brochure are comprehensive. Gillies said the committee "cribbed" from the website of Maine Medical Center's Vector-borne Disease Lab. Nantucket Hospital's (Nantucket Island, Mass.) tick-borne disease prevention website was also

helpful. She doesn't know of any other Maine town with a comparable website addressing tick-borne disease.

Archibald Gillies, chair of the Board of Selectman and Linda's husband, seemed to indicate the community is taking a deep breath before proceeding.

"(We) made a major effort to engage the State of Maine to help us address the issue. Commissioner (Chandler) Woodcock of Inland Fisheries and Wildlife was extremely helpful. With his staff he organized a special hunt format for Islesboro. The commissioner came to speak to a special town meeting to help present that plan to the community."

Arch Gillies was disappointed that the community rejected that plan last year, but will still move ahead. "Both personally and as a select board member, I am committed to reducing and eliminating the dreadful diseases transmitted by ticks. It will take time, continual research, open discussion, and finally a plan that the town can support.

"No one should give up on that goal." ■



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Nearly 12 years later, Maine's casino 'experiment' continues

On balance, community leaders in Bangor and Oxford say, the casinos have helped, especially with spinoff development and municipal revenue.

By Glenn Adams

Have Maine communities come out on the winning side of the state's experiment with casino gambling?

Municipal officials and business leaders in the two municipalities where the slot machines sing and dice roll say they are coming out on the plus side – at least so far. State figures confirm the millions of dollars that have poured into local coffers. Others point to the spillover effect of business growth due to the presence of a casino.

"The impact of Hollywood Casino has been more positive than anticipated and has provided the city with the revenues to make improvements to our waterfront and entertainment region that could not have been made without a similar investment," said Cathy Conlow, city manager in Bangor, where Hollywood Casino is located.

But, she added, the "downward trend in gaming nationally is something that we are watching."

Downstate in Oxford, Interim Town Manager Rebecca Lippincott said town revenues from the casino are used to offset property taxes and to make capital improvements.

"The presence of the casino and the new (wastewater treatment facility) has brought additional hotels and restaurants, and development on Route 26," Lippincott said. "Unfortunately, the casino is not the complete answer to our finances, but it is a big part."

Limited basically to high-stakes beano, state lottery games, and harness racetrack betting a few decades ago, Maine voters opened the door a crack and rebuffed a referendum effort in 1980 to prohibit games of chance played on machines altogether.

Third casino proposed

Since then, the face of gambling in the state has changed dramatically and could change more in the not-too-distant future. Bangor and Oxford now each have full-fledged casinos with slots and table games. A proposal for a third, in York County, will be decided by voters in November 2017.

Maine's minimum gambling ages are 21 for casinos and 18 for lotteries. Gambling in Maine is regulated by the state Gambling Control Board, which was established in 2004 after voters decided to allow two slot machine facilities in the state. However, only one – in Bangor – was approved locally at first.

Hollywood Slots opened in a temporary facility in November 2005. Now known as Hollywood Casino Hotel



David Nealley

and Raceway, the in-town facility has 1,000 Las Vegas-style slot machines and table games. The hotel has 152 rooms.

The Bangor facility is owned by Gaming and Leisure Properties, a Pennsylvania-based real estate investment trust company and spin-off of Penn National Gaming, which operates it.

In 2010, Maine voters decided to allow an expansion of gambling

in Oxford in 2010, two years after another effort failed.

Located on 100 acres 40 minutes northwest of Portland, Oxford Casino has been in operation since June 2012. It has more than 850 Class III slot machines and 26 gaming tables, according to its website. The casino underwent expansions in October 2012 and December 2013.

Oxford Casino, which became part



Entrance to Hollywood Slots in Bangor. (Submitted photo)

Glenn Adams is a freelance writer from Augusta, adamsgjr1@gmail.com.

of Churchill Downs Inc. in July 2013, has two restaurants and a video poker bar. Patrons walking to the main entrance now see a hotel under construction just to the left of the casino. Inside, the glitzy expanse of ringing, high-tech machines and busy gambling tables contrast to the drab but stately former schoolhouse that serves as town hall, a short distance away.

Voters will likely be asked once again to consider casino gambling. An initiative seeking to allow a third casino, in York County, was sent to the Legislature for consideration this year. Lawmakers can pass it as is, or simply forward it to voters on Nov. 7. The initiative as proposed limits eligibility for the casino license to Shawn Scott. The former owner of Bangor Raceway was a major donor to the 2003 referendum campaign to allow slot machines at two Maine racetracks. The campaign was pitched as a lifeline to Maine's reeling harness racing industry, which needed a new enticement to bring out bettors.

Harness racing aid

That theme is echoed in the latest campaign, which calls itself Horseracing Jobs Fairness and seeks to dedicate a portion of the tax revenues generated by the casino to commercial harness racing. The proposal also seeks to ratchet up the limit on slot machines statewide from 3,000 to 4,500.

The Horseracing Jobs Fairness campaign is bankrolled by Lisa Scott, Shawn Scott's sister.

Casino referendums have not always gone well for their sponsors, especially Maine's Native American tribes. In 2003, the same year that Shawn Scott's racino proposal passed, voters also shot down a tribal casino for Sanford. Tribal casino proposals also went down in 2007 and 2011. Also in 2011, a proposal for a Lewiston casino was sent to defeat at the polls.

Through the years, as gambling has been an issue in the state, legislatures have turned back a number of proposals to adopt a master plan for where casinos should be located.

Meanwhile, the "ka-ching" sound of the legal slot parlors has resonated in city and town coffers, thanks to state laws requiring that certain percentages of casino revenues go to host municipalities. Figures from the Gambling Control Board show that Oxford received \$312,758 in from

table game revenues and nearly \$1.3 million from slots in 2016, for a total of \$1.6 million.

Oxford's Lippincott said 34 percent of the casino revenues are used to offset property taxes, while the rest goes to capital improvements. In addition, 100 percent of property tax from the casino goes to fund the wastewater treatment facility.

Tax revenues don't show the whole picture, said John Williams, executive director of the Oxford Hills Chamber of Commerce. The ka-ching has been heard beyond the boundaries of the town, whose 2010 census counted just over 4,100 residents.

"The casino has had nothing but a positive influence on this entire area," said Williams. The Oxford Casino has created 450 permanent jobs running the games and supporting areas of security, maintenance, administration, and more. Its presence prompted the construction of a Hampton Inn hotel across the street.

Now, the casino is in the process of building a 109-room hotel, which will create another 60 to 100 jobs. Plans also are in the works for a restaurant, small mall and other businesses that are seen as a spinoff of the casino.



John Williams

Welcome exposure

Williams ticked off a list of restaurants that have grown due to the casino. Traffic studies, meanwhile, have shown a 10-15 percent increase in the area since the casino opened, said Williams. Whatever the reason for the new traffic, the region is getting more exposure.

"More and more people are coming here who might not have come

here. A lot of people say they never realized what a beautiful place this is," said Williams.

New visitors find hiking, biking and snowmobiling opportunities. "In addition, we have dozens of lakes and ponds, tremendous hunting. During the fall, it's one of the most beautiful areas for foliage," said Williams.

In addition to the local taxes the casino pays, "they are very, very good about being involved in charity work in the Oxford Hills area," said Williams.

In the Bangor area, the impacts on local commercial activity, not to mention taxes and community services, have also been positive due to Hollywood Casino, said Lee Speronis, board chairman of the Bangor Region Chamber of Commerce.

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our property taxes down,” said Speronis, who lives in the city of more than 32,000.

The casino-hotel has donated towels, linens and sheets to Sarah’s House of Maine, which provides lodging for cancer patients and caregivers in nearby Holden, said Speronis. Mattresses that are being replaced are given to homeless shelters in Bangor.

“This is the kind of thing they do for the community,” said Speronis. “There isn’t a community event that doesn’t reach out to the casino.”

Student internships

Speronis, a professor of hospitality at Husson University, said the casino has been an active partner in offering internships to students at the Bangor school in a range of positions.

“We’ve had students rise from the front desk to management positions,” said Speronis.

He also points to the casino’s contributions to Bangor’s entertainment corridor, which includes the new Cross Center, a venue for sports and entertainment events, and expositions.

State Gambling Control Board figures show \$574,557 in revenues from slots and table games to Bangor in 2016. In addition, the city took in a little over \$1.3 million by leasing the Bangor Historic Track to Hollywood Casino for 3 percent of revenues, said City Manager Conlow. The total received is near \$1.88 million.

“Overall, the casino has not generated significant social costs as predicted. In addition, it has succeeded in providing the benefits that were touted early in the project including: a ded-

icated source of funding to pay debt service on the Cross Insurance Center, (Tax Increment Financing) revenues to develop the downtown and waterfront; and as an important amenity of an entertainment corridor,” said, Conlow, in an email response to the Townsman.

“However, changes in the national gaming market and the addition of a new casino in Oxford (have) resulted in declines in revenues. Since 2012, the city has seen a steady decline in gaming revenues coming from the casino. In addition, these market changes resulted in the city granting a tax abatement in 2016,” Conlow added.

“The downward trend in gaming nationally is something that we are watching, but we are fortunate to have used 100 percent of our revenues from the casino to reinvest in our waterfront, downtown and Cross Insurance Center. None of the revenues were used to pay operating costs in the city and we are hopeful that the combination of the Casino and other investments will help insulate Bangor more from downturns in the single market center,” Conlow concluded.

Good timing for Bangor

Bangor City Councilor David Nealley believes the casino was the right thing at the right time to bring the city from economic malaise to economic revival.



Rebecca Lippincott

Nealley, who worked on the campaign that first brought a racino to Bangor in 2003, acknowledges his leanings on the issue, but said the proof of what the casino has done for the city is incontrovertible.

“Everything in this region was changing for the worse” before the initial plan for gambling came along, he said. Pulp and paper mills were closing, people were leaving the

area and the downtown was “in rough shape.” Something needed to be done to turn things around, and the cash that the casino represented turned out to be the answer, Nealley said.

A downtown TIF exists because of the casino. A half dozen hotels have been built and restaurants have popped up all over the city since the casino’s build-out. The entertainment corridor, including the waterfront and new civic center, has turned into a huge draw. The summer music festival fills every hotel room and has people booking rooms as far south as Waterville, said Nealley, who believes Bangor’s revival surpasses that of any northern New England city.

People visiting the coast who find themselves looking for activity on a rainy day now have a reason to come to Bangor, be it for shopping, dining, or maybe a try at gambling. Meanwhile, more young professionals are deciding to call Bangor home.

“I’m so proud Bangor has been able to do what it did,” said Nealley, “If done right, you can have what we’ve had, which is a renaissance in our city.”

While the casino’s worked for Bangor, Nealley said that’s not necessarily the answer for other towns and cities.

“I’m not promoting this for other communities,” he said, “but for Bangor it worked.”

Worries about a third

The prospect of having a third casino in the state, in York, worries some elected leaders in Bangor. City Council Chairman Joe Baldacci said in December 2016 that any new racinos or casinos in Maine would undermine the casino in Bangor. And Councilor Ben Sprague said it would be detrimental



Entrance to Oxford Casino. (Photo by Betty Adams)

to have casinos popping up all over the state, and that Maine has enough.

Maine has not been alone as it wrestles with the pros and cons of casino gambling. Roughly two-thirds of the states allow gambling in some form, and 24 states have commercial casinos, according to the pro-industry American Gaming Association. (New Hampshire has seven casinos, and Vermont has none.)

Studies vary on the overall impact of casinos on host communities, with some accentuating net gains for towns most of the time, and others emphasizing social woes associated with gambling and casinos' tendency to siphon profits from local businesses.

The International Social Science Review has concluded that literature on the subject is "contradictory, ambiguous, and difficult to analyze."

Some mixed reviews

Looking at one aspect of the impact, the National Association of Realtors concluded that casinos are likely to have a negative effect on nearby home values. It also says a casino that draws most business from outside the

local area can have positive impacts on tax revenues.

Gambling addiction and its related problems can be a problem, although it is not seen as an issue in the two casino-host communities in Maine. The National Council on Problem Gambling says 2.2 percent of Maine adults, or 29,242 individuals, are believed to manifest a gambling disorder, but the figure doesn't break down how many of those cases are related to casino gambling.

The council also says that in 2012, Maine ranked 47th out of the 50 states in combined lottery sales, commercial gaming revenues and Indian gaming

revenues, for a total of more than \$327 million. In 2013, Maine's allocation for budget for problem gambling treatment was \$50,000, giving the state a 37th national ranking in per capita spending, the national council said.

The Town of Ledyard, Connecticut, where the Foxwoods Resort and Casino has been in operation since 1992, said there have been "quantifiable costs" to having the facility in town. In 2000-01 alone, the cost was \$2.2 million, says a report by the town of 15,000. It cited impacts on public safety, traffic control, emergency and social services, and government administration. ■

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How one town meets the digital divide and engages citizens

Read how the Town of Madawaska, population 4,035, uses an array of social media tools, with the deliberate strategy of educating young citizens.

By Ryan D. Pelletier, Town Manager, Madawaska

In an effort to reach more constituents and engage “the next generation” of voters and taxpayers, the Town of Madawaska recently created a Snapchat account. You may have heard about [Snapchat](#).

According to the online website Pocket-lint.com: Snapchat is “the popular mobile app that allows you to send videos and pictures, both of which will self-destruct after a few seconds of a person viewing them.”

Snapchat is also a fun messaging app. You can capture a photo or brief video with it, then add a caption or doodle or filter/lens over top, and send the finished creation (called a “snap”) to a friend. Alternatively, you can add your snap to your “story,” a 24-hour collection of all your snaps. That story is broadcasted broadly or just your followers.

These are merely part of the many features within Snapchat. At its core, Snapchat is used to send photos and videos to friends. Your friends can view snaps for up to 10 seconds, and then the snaps disappear. While that’s all fine and dandy, many people are still left stumped by Snapchat.

Many, many people are not. As of February 2017, the app’s users were sending 2.5 billion snaps a day. You read that right.

Snapchat is mostly a hit among teenagers, according to several research firms, although it is catching on and embracing new demographics every day.

Which is where the Town of Madawaska comes in.

Madawaska has been experiment-

ing with a variety of outreach and communication strategies in the recent year and half. As the town manager, I put out a lot of information through social media sites such as Facebook and the town website, but those tools only reaches a segment of the population. Like everywhere else, we have a hard time getting the younger generation engaged in municipal government.



Ryan D. Pelletier

One town’s approach

The approach we have taken in Madawaska is simple. We are not trying to overload Snapchat users with a lot of information. Rather, we use it to tease or entice them to become curious about what is happening in the community and hope that that curiosity will lead them to participate in the usual ways, such as attending a public hearing, board of selectmen’s meeting or to turn out at the polls to vote in the municipal elections. A “snap” might just be a picture of an upcoming public hearing notice or board meeting agenda.

As community leaders, we are best placed to understand the particular challenges faced by our constituents, including the issues faced by young people in our towns and cities. This is particularly pertinent for young people, who often feel that as an age group their issues and opinions are taken less seriously at the local level. It is my belief that young people won’t necessarily come to us. So, why not try to go to them, and maybe spark an interest to be more engaged with the

policy decisions that our elected and appointed town officials make on their behalves?

Creating ongoing dialogue between young constituents and town officials is critical to ensure that young people have the opportunity to have their opinions considered and their views taken into account in matters that affect them. The other benefit that I have seen through our

attempt to include young people is that, as a whole, the adult population is supportive of our efforts and sees value in us trying to outreach to young residents. I hear from parents and other adults all the time that there should be more opportunities for young people in town. By including young people in the way that we operate, it gives them “buy in,” and an opportunity to be part of the process.

I’ve worked at the local and regional government level since 1998. I have seen more changes in the way we do outreach in the last few years than my first 15 or so years. When I first started this work, the best way to reach a large audience was by putting a notice in the local church bulletin. We also experimented with our own town newsletters. Today, with the advent of social media, we literally reach hundreds, if not thousands, of constituents simultaneously. That doesn’t mean we have completely abandoned traditional ways of communicating. We maintain our community page on the Bangor Daily News website, for example. Here we post press releases and other community notices. We also maintain ex-

Ryan D. Pelletier is manager in the Town of Madawaska and is a past president of Maine Municipal Association, rpelletier@townofmadawaska.net.

cellent working relationships with local news media including newspapers, TV stations and radio. Everything we post online gets sent electronically to the local media. We strongly believe in transparency and keeping citizens informed as best we can.

Survey tools

Another avenue that we have experimented with is online surveys. Most recently we developed an electronic survey through the web host Survey Monkey to receive feedback from our municipal employees and school personnel. The feedback is part of an overall attempt to develop a strategic plan for the town and region. Grand Plan Madawaska is a strategic planning initiative to shape a compelling and vibrant future for the Town of Madawaska. The goal is to create a 10-year strategic plan with a focus on business growth and economic development, quality of life and place, and larger regional development.

I fully anticipate the use of Survey Monkey to engage the general population as well in the future and to conduct community satisfaction surveys for example to find out how the citizens feel their local government is serving them. The technology is there, it is relatively inexpensive, so why not use it?

The town's website is another critical vehicle for our use. Last year, we invested in a new website to make it more user friendly. All of our board meetings are videotaped by our local

access TV station, and the videos are then uploaded to the website for people to watch from the convenience of their homes or offices. We've taken the website a step further though, and now have an online suggestion box where residents can submit thoughts and ideas. We also have links for residents to report pot holes and street light outages. It's a great way to communicate with town officials without having to pick up a phone and call someone. I like it because it also creates a paper trail. When I receive a suggestion or notification via online submission, I am able to forward it to the appropriate department head and print out a hard copy as well.

We have started offering email notification reminders to citizens regarding their vehicle registration renewal on a monthly basis. Residents interested in that service provide their email addresses to the town clerk, who maintains the list and emails residents each month with the vehicle information and registration costs. We are also exploring more e-notification alerts

via text messaging and email for public safety and public works activities, to keep citizens who want to be notified about certain things such as weather and road conditions, road closures due to traffic accidents, etc.

Police notifications

Our police department offers residents the opportunity to receive alert messages on their cell phones, by email or text messages. Message topics are public safety related. Some examples of the kinds of messages residents receive:

- Street closings
- Water main breaks
- Community events that may impact safety
- Be-On-Look-Out (BOLO) notices
- Power outages
- Planned power outages
- Weather advisories
- Amber alerts (missing children)
- Flood advisories

So what is in Madawaska's future regarding technology and civic en-

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gagement?

The town isn't waiting to find out. Town leaders partnered last month with the local access TV station, WOWL, which is operated by the Madawaska High School, to produce a video on YouTube to promote civic engagement and encourage citizens to run for local positions on the Board of Selectmen or school committee.

This effort had a dual purpose: Encourage citizens to think about being active and, by including the local school and students, open their eyes and minds up to local government as well. The short video is titled Serve Madawaska! It can be accessed on at: <https://youtube/VwXpqrvmqv6E>

I believe we will see the use of social media and online communications continue to grow. Technology changes so quickly and the "next great idea" might not even be invented yet. It is our job to keep focused on engaging all of our citizens as best we can and be mindful that our approach needs be flexible, all-inclusive and open. ■

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If I led
my
community...

Maine Municipal Association 7th Grade Essay Contest **Winners**

Emma Beauregard

Damariscotta Montessori School, Nobleboro

If I led my community of Bath, I would apply for a grant from the state to build more parks and playgrounds, also to repave the sidewalks. I would also want to put up more historical signs around town, so tourists could walk around and enjoy the city with the choice of learning the history of Bath. I would try to distribute more maps of Bath, paper, so you can carry them, and a couple signs on some of the main streets, so if you were walking around you could look at one to know where you are. On the maps there would be restaurants, historical landmarks, art galleries, schools, parks, playgrounds, and shopping centers.

The parks would have plenty of trees, but also enough grassy areas so that picnics and activities could be done. At the playgrounds I would make sure that all of the structures and swings were up to date, and safe for people of all ages. The history signs would be about who founded Bath, who helped, different places with a historical landmark, and anything else that you could learn about the beautiful city of ships. On the signs, I would put a map of Bath, with the historical places highlighted, that way people could go to one if they choose. Bath is a beautiful city, and in late Spring, Summer, and early Autumn it is always the perfect temperature to walk around, or ride your bike to sightsee. But almost all of the sidewalks are cracked, and have cement missing. So I either want to redo them, or repave them. That way people will be outside more, enjoying the sunshine, and getting exercise by walking around.

Bath is a beautiful place, and deserves to be recognized more for that. I believe that it can become even better than it is now, if we can try to accomplish these goals. Even if we can only do a couple of my ideas, I'm sure it will make everything so much better, for citizens and for the community itself.

CONTEST JUDGING

Seventh-grade teachers from around the state submitted essays for judging in Maine Municipal Association's sixth annual essay contest, which is part of our Citizen Education program. Essays were judged based on clarity of writing, quality of writing and showing an understanding of municipal government.

MMA want to thank and recognize the contest judges: Kate Dufour, Senior Legislative Advocate at MMA; and, Doug Eugley, a town meeting moderator and former Selectman with the Town of Sidney, who works as an accountant in MMA's Finance Department.

LOCAL GOVERNMENT
begins with **YOU**

If I led my community...

Maine Municipal Association 7th Grade Essay Contest **Winners**

Olivia Messer

Veazie Community School

If I led my community, I would probably start with spending more money on having more events in our community. I would have different events that would help our community connect more than it has already. The events I would put in place would be: picking up recycling day, community game night and book club. I feel like the people in our community should connect with each other more so we can be a community where everyone feels welcome.

Holding events at the school will also make our small school more noticeable. We can host a movie night at Veazie Community School, with everyone being welcome. This will bring more attention to our school.

I would hold a fundraiser to fix the potholes on Veazie street roads. Veazie citizens often walk/ride on Veazie roads, so they deserve to have nice roads to walk/ride on. Then, our road would be more safe for our citizens. From the fundraiser, I would also make it a fundraiser to fix Veazie sidewalks that have worn down from rain and erosion. Safer sidewalks lead to safer roads which leads to a safer community.

A problem the kids and adults have discovered is that (at the intersection) our crosswalk lights do not work properly. This can cause much danger to kids and adults who are crossing the roads. I would fix this problem immediately because I don't want Veazie citizens to feel unsafe in their own community. When the crosswalk lights are fixed, all that Veazie citizens have to do is push a button and wait until a silhouette of a person walking appears on the screen, as it should be. Without it being fixed, Veazie citizens will have to wait until the traffic has cleared, which can take a long time.

I want Veazie to be a safe place where people will always feel welcome and comfortable. With all of our Veazie citizens together, we can fix the little things and accomplish the big things. Veazie is a place that is proud of its citizens.

Veazie is an amazing community, and even though he isn't here today, General Samuel Veazie would be very proud of his community.

LOCAL GOVERNMENT
begins with **YOU**

If I led my community...

Maine Municipal Association 7th Grade Essay Contest **Winners**

Patricia Thody

Athens Community School

If I led my community I would make a law for people to quit smoking, I would have more selectmen in our community, and I would also put a police station in our community so that people get the help they need in a matter of minutes.

If I led the community I would make a law for people to quit smoking. Smoking is a bad thing. It can give people cancer and make other people sick and they don't even smoke. My grandmother got second hand smoke from her husband that died from smoking. I would make the whole community vote on it and the government vote, and if they vote to keep smoking around then I would try to convince the people that smoking is bad and that it can kill people.

If I led the community I would try to get more selectmen because our community only has 3, and we need more people making the choices around our town. We need more opinions on things that happen, because 3 people making choices is not enough input to make a law or to make things happen in the community. I would try to get at least 10 selectmen because that is enough opinions to actually do something with our town.

If I led the community I would get a police station so that the families will get the help they need in a matter of minutes and plus the police would be close by. Having a police station is very important because people get murdered, and hurt, robbed and having police around would help and they could get there fast enough. We are a small community and having police men driving around our tiny town would be nice and make people feel more safe. Like what happened at our store Jim's in Athens - they got robbed and the robber got away. He got caught eventually but he did run though and if we had a police station maybe the police might have caught him or maybe even got there quick enough to get him. I think maybe having police cars at The Corner Store and Jim's there all day and all night would stop robberies and having police cars parked on the sides of the streets maybe even parked by people's houses. We need a police station to get the families the help they need in a matter of minutes.

If I led the community that is what I would do with that privilege! I really do think strongly of these rules that should be made. I would make people stop smoking, and have more selectmen and have a police station. I did not want to be a leader for my community, I am happy with the people that already run the town. I want to lead my community!

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Sensitivity, knowing rules are required for welfare directors

By Liz Mockler

Welfare directors must make judgments without being judgmental, and always must remember that most people are one illness, accident or lay-off away from needing public assistance, said Sarah Pelletier, who has administered general assistance in the Town of Madawaska since 2014.

Pelletier said directors must be sensitive, protect confidentiality and realize people asking for municipal help are likely embarrassed and humbled by the experience.

Not allowing personal beliefs and emotions to affect decisions is crucial, the Madawaska native said.

“Decisions are not made by personal feelings, although I put myself in the place of all my clients and realize I am not (immune) from ever being in a situation to have to seek assistance myself,” Pelletier said.

Pelletier, 44, home-schooled her children and took college courses before joining the town staff. She formerly directed a community garden until it dissolved because of a lack of volunteers. She has worked as a substitute teacher, tutor, secretary and waitress.

“I don’t put up with laziness and have high expectations, so I challenge my clients and put reasonable pressure on them to be able to obtain success” by finding new employment.

Denials are challenging

Pelletier said the most challenging aspect of her job is to deny requests, based on the latest rules and sometimes in consultation with one of her peers.

“Ongoing education is essential and



Sarah Pelletier

communication with other general assistance administrators is an advantage,” she said.

Respectful communication is a basic requirement of the job, she said.

“I treat each client with respect and have a clear reason for my decisions,” she said. “I take time to explain (the rules) and remind them that I have guidelines I must follow.”

When Pelletier must deny a request, she offers people information about other resources available in the community.

While investigating requests, Pelletier sometimes comes across falsified documents or information. Tact, sensitivity and professionalism are especially needed during those occasions, said Pelletier, who also works as deputy town clerk and administrative assistant to the town manager.

“I never call them liars or tell them they lied to me,” said Pelletier, one of nine children with three children of her own. “I am always careful with my delivery; I am stern but not rude or disrespectful. I believe the majority of the clients I have denied left with a sense of self-respect.”

‘Bigger than myself’

Pelletier said she also prays to “something bigger than myself” in an effort to make wise decisions. “I am not invincible,” said Pelletier, who essentially works three jobs and knows what it takes to keep up with day-to-day financial pressures.

Even more challenging than a denial is to say “no” to someone she knows needs help, but rules prevent her from providing aid. Some people are illiterate or suffer from a learning disability,

while others have illnesses that limit their ability to work – some even part-time.

At other times, Pelletier deals with alcoholics and drug addicts who have been abandoned by their friends and families. Some qualify for assistance, but not all.

“It’s difficult to know what to do in cases like this,” she said. “I know denying assistance to such individuals puts pressure on their lives and sometimes this pressure produces change. The hope is that the change is a better one. It’s a sensitive subject to point out to addicts that they need to seek help.”

There is a limit to how much advice welfare directors can give people. “We are not caseworkers,” said Pelletier.

People convicted of crimes also pose a different challenge, Pelletier said. “I have several clients who have been incarcerated for many years and have already been punished, but society often continues to punish them,” especially by not giving them jobs so they can rebuild their lives and support themselves.

“It’s very difficult for these people to get on their feet and become independent.

Pelletier plans to move west soon to be closer to her children. She intends to continue general assistance work.

“My time here at the municipal level has given me worthwhile education so I can be competitive in the workforce,” she said. “It has given me confidence and has been eye-opening.” ■

ABOUT THIS SERIES

Elected and appointed officials provide essential services to their communities across our state. Maine Municipal Association began this series of profile articles in 2016, our 80th Anniversary year. The series continues in 2017 as we highlight the work that municipal officials do.

Liz Mockler is a freelance writer from Randolph and regular contributor to the *Maine Townsman*.
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Retail marijuana, budgets dominate town meetings

Maine's rite of spring got under way with discussions about a variety of other issues, ranging from firefighting to liquor, from recycling to road paving projects.

By Liz Mockler

Recreational marijuana stores and social clubs took center stage at many Maine annual town meetings held in March and April.

In a review of more than 50 town meeting reports, about one-third of towns voted for outright bans or renewable moratoriums on both stores and clubs, where pot could be smoked openly.

The Town of West Paris bucked the apparent trend by approving retail stores, social clubs, growing operations, product manufacturing and testing facilities. The approval resulted when voters rejected an ordinance to ban all retail operations. The first vote was tied at 34; the ordinance was defeated by secret ballot by a vote of 34-43.

Under legislation passed in late January, the Legislature and Gov. Paul LePage passed a bill giving state agencies until February 2018 to adopt and implement rules to govern the industry. Maine voters statewide narrowly approved the use and sale of recreational marijuana in last November's election.

The new law allows recreational use for adults age 21 and older, as well as cultivation for personal use. But it allows for local regulation of selling and growing marijuana for retail and commercial purposes. It prohibits juveniles from smoking pot and bans Mainers from smoking while driving.

The law allowing medicinal marijuana cultivation and sales, either from licensed caregivers or dispensaries, remains unchanged.

Local questions about retail marijuana will be decided this month and

next, when communities hold their annual town meetings. Earlier meetings are typically held by smaller communities. Many communities already have enacted bans or moratoriums.

"I do think recreational marijuana will have an impact on (police) services," Falmouth Police Chief Edward Tolan wrote in a recent email. Until the Legislature finalizes the state regulations, he said, police departments don't know exactly how the law will affect staff and resources.

Tolan, president of the Maine Chiefs of Police Association, said he does not think the association will need additional resources, but that in Falmouth, "I increased my training budget by \$5,000 in preparation for training for my officers."

The issue is expected to re-emerge after the state has implemented rules next February.

Moratoriums give communities time to fashion local rules regarding retail shops and social clubs.

Leaders in many communities told town meeting voters they would rely on the Maine Municipal Association for legal advice and recommendations as they maneuver through the controversial issue of recreational marijuana and all of its implications.

Small but thinking big

Other warrant articles statewide asked voters for approval for large outlays, especially for road work and equipment. As is usual, in nearly all cases voters obliged. Voters in many towns approved using surplus funds for large projects, mitigating the impact on the property taxes.

In Farmington, voters increased the budget by \$250,000 to nearly \$1.6 million so the Public Works Depart-

ment could buy a much-needed truck. The new Public Works director noted that the town's road equipment was inadequate, and agreed to work with town officials to bring a broader capital plan to voters next year.

Embden voters, meanwhile, rejected a plan to establish their own public works department, despite projected annual savings of \$160,000 once equipment was purchased and a crew hired.

The town presently contracts for both winter and summer road work and agreed to raise \$461,000 in taxes to pay a Benton contractor to continue the work. The change to a town department would have taken effect in 2018, at the end of the current contractor's three-year contract. The town's veteran road commissioner said he was happy with voters' decision.

Plymouth residents voted in favor of an 18 percent increase in the town budget, or about \$104,000, in part for the first payment on a \$100,000 bond for road paving. They also voted to raise an additional \$50,000 to pay down the bond even faster.

The Town of Hebron faces finding a contractor to take recyclables after directors of Oxford County Regional Recycling announced its impending closure after 20 years. Given the choices of contracting for the service, buying its own truck or starting a curbside collection, voters authorized selectmen to only pursue contracting for the service.

Big gifts, big spending

In Belgrade, voters agreed to accept a \$495,000 gift raised by the Friends of Belgrade Lakes Village to pay for sidewalks and lighting not included in a 2018 state reconstruction of Main Street in the village. Even

Liz Mockler is a freelance writer from Randolph and regular contributor to the Maine Townsman, lizmockler@hotmail.com

without the extra sidewalks and lighting, the half-mile village project will cost \$2.7 million. The vote to accept the monetary gift was 355-52.

Belgrade residents also endorsed amending the Commercial Development Review Ordinance to require, when requested, a visual impact study for any wind energy projects proposed for hilltops or lakeshore property.

Sidney voters endorsed a \$2 million bond to finance seven projects, saving an estimated \$80,000 to \$100,000 by packaging the work into one bond. Among the projects: a new sand/salt shed, at a cost of \$455,000; purchase of a plow truck for \$200,000, replacing one that will not pass state inspection; and, paying off \$300,000 in town debt to save \$18,000 in interest.

Brooklin voters approved a permanent easement allowing public access to Center Harbor. In a related vote, residents agreed to spend \$110,000 to build a retaining wall to provide parking. The agreement gives residents access to the existing boat launch.

In Athens, voters again balked at spending \$450,000 for two road projects – a similar request they rejected at last year’s town meeting.

This year, though, they learned that the town is owed \$200,000 in back taxes from Central Maine Power, which would be used to offset the road repair costs. In the end, voters agreed to repair only one of the roads this year, for \$150,000, which eliminated the need to raise taxes or borrow money. Neither road has seen significant work in more than a decade, officials said.

Neither snow nor sleet...

Voters endured frigid temperatures and strong, gusty winds during the first half of March – when so many towns hold their annual meetings. After the first Saturday, the weather was less severe through town meeting season.

In several communities, lunch and daycare were offered to help increase turnout. Some meetings were suspended long enough for voters to eat lunch and socialize.

In a throwback to the founding of the country, New England is the only region in the nation that holds town meetings where local residents make the final decisions, not elected officials, on all spending requests.

Residents in some larger towns have delegated budget authority to selectmen and councilors but, even then, multiple hearings must be held before any final votes are taken. In those communities, elected officials take their cues from the public when there is strong support or opposition to specific spending requests.

Statewide this spring, voters decided issues across the spectrum in March and April, ranging from property revaluations to tax discounts to wood harvesting.

As is typical, nearly all warrant articles, regardless of town, were endorsed by voters. Not all articles garnered overwhelming support, however, and meeting moderators called for written ballots when hand counts seemed especially close.

Municipal election contests were decided both by secret ballot and from the floor. Many officials retired after long service to the town, while some incumbents lost their seats in close elections. Former elected officials ran successfully in many communities.

(See related story)

Also common were voters who approved large outlays with little or no debate, but had lots to say about small donations to regional social service groups who rely on municipal help to operate and to leverage funding from bigger sources.

Meanwhile, some towns voted to maintain discounts for taxpayers who pay their bills early, and some towns decided it was not worth the cost.

Wet and dry

In Southport and West Gardiner, articles to allow the sale of hard liquor were debated.

Voters in Southport were concerned about maintaining the ambience of Cozy Harbor and therefore voted down a restaurant owner’s request to sell liquor.

In West Gardiner, voters easily passed articles allowing the sale of liquor seven days a week. The vote to allow Sunday sales was closer, at 213-104.

Property revaluations passed in Andover and Alna, but one was rejected in Turner, where the cost was estimated at \$199,000 over two years. Alna voters agreed to spend another \$20,000 on the revaluation, to be combined with \$49,000 already reserved for the work. In Andover, voters appropriated \$17,000 to add to the \$63,000 already saved.

St. Albans voters addressed a need to repair the Upper Dam on Big Indian Pond. Two other town dams also need repairs, but should the Upper Dam give way, “we would lose the lake,” Town Manager Rhonda Stark said recently.

“The dam is extremely important to the town,” Stark said, because it holds back the lake-sized pond, which drains nearly 30 miles in the area watershed. Divers already have given the dam a cursory inspection and the town has piled 50 sandbags to minimize the leak and buttress the dam until repairs can be made.

Stark said there was no town meeting controversy over repairing all three dams, with the Upper Dam being the priority.

Long debates

Benton residents spent a long time debating whether to provide health insurance to town office staff for the first time. The cost to insure for three

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employees was \$75,000 a year.

Selectmen explained that surrounding towns offer insurance, making it easier for them to recruit and keep good employees. However, some residents opposed the idea. Selectmen said the plan was middle-of-the-road, not a “Cadillac” plan as some people claimed.

In the end, voters agreed to appropriate \$60,000 for town office staff insurance and leave it to selectmen to find a way to provide coverage with the lesser amount.

In Deer Isle, voters also spent a long time debating whether to give the select board chairman a \$6,000 raise. The warrant article called for \$18,000 – \$6,000 for each of the three selectmen. But after the chairman outlined the work he does, voters wanted to give him a raise.

Initially, an amendment was proposed to leave the chairman’s salary at \$6,000 while reducing the salary for the other two selectmen to \$3,000 each. Voters who crowded into the meeting then heard about the long list of work performed by the other selectmen in order to keep the town running smoothly.

The amendment was defeated and another amendment, lifting the chairman’s salary to \$12,000, passed by a majority hand vote.

Voters said they recognized that selectmen in small towns like Deer Isle, population 1,900, get calls day and night, field complaints and respond to residents’ concerns and perform myriad town office duties.

Other business

Voters in a number of towns decided issues very specific to their communities, including:

Burnham: Residents agreed to allow selectmen to ask the state to build an exit ramp off Interstate 95 for both emergency response and economic development reasons.

Brooksville: Voters rejected just one of 71 warrant articles. They did not want to harvest and sell wood from a lot co-owned by the town of Sedgwick. Although Sedgwick voters approved the plan, the harvest cannot take place unless both towns agree.

Chesterville: Voters approved a recall ordinance that establishes the requirements for removing elected officials from office.

Cushing: Voters accepted a land gift of 15 acres that will provide public access to a cove along the shore of the town’s waterfront. The gift was donated by Thelma Dodge, who died at the age of 92 the day after the transaction was complete.

Minot: Voters defeated two versions of a mass-gathering ordinance

in response to noise from a motocross facility and a local festival. The state’s rules will remain in effect.

New Sharon: The New Sharon Fire and Rescue Association was established by voters as the New Sharon Fire Department and became a municipal entity. Voters also gave selectmen permission to participate in the National Flood Insurance Program administered by FEMA.

North Yarmouth: Voters approved withdrawing \$50,000 from surplus to establish a senior property tax assistance program. Those who qualify for the \$1,000 credit, or discount on taxes, cannot have an income exceeding \$45,000, must be at least 70 years old, have lived in town for at least 10 years and in the house for at least one year.

South Bristol: Voters increased the fire department’s budget by \$8,000, to \$60,000, to fund payroll for firefighters who attend meetings, conduct truck checks, attend training programs and perform station maintenance. All of the work is mandatory but firefighters have not been paid for their time, unless they respond to emergency calls. ■

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Town Meeting season: Updated municipal election results

By Liz Mockler

Following are among the municipal election results from March and April annual town meetings. Unopposed incumbents, with few exceptions, are not included. Former selectmen are included, however, whether opposed or not. The names of challengers, unless former selectmen, also are not included.

Belgrade residents voted to return Selectman **Michael Barrett** to the board for a three-year term. **Ernst Merckens** was elected to finish the final year of **Cheryl Cook's** three-year term. Barrett collected the most votes with 201, holding off a challenger, who garnered 173 votes. Merckens easily won the contest to fill the vacancy, with 170 votes.

Todd Brown was elected to replace St. Albans select board Chairman **Jason Gould**, who did not seek reelection after serving for six years.

Norridgewock voters elected newcomer **Joshua Cortland**, who defeated incumbent Selectman **Sara Wilder**, who had served since 2011, by a vote of 141-130. In the six-way race for five selectmen seats, the remaining four candidates, all incumbents, were unopposed for reelection. They are: Chairman **Ronald Frederick**, Vice Chairman **James Lyman**, **Charlotte Curtis** and **Matthew Everett**.

Charlene Donahue and **Bill McKeen** were elected first-time Whitefield selectmen with 121 and 103 votes, respectively. Each defeated a challenger to replace **Dennis Merrill** and **Susan McKeen**, neither of whom sought reelection.

Avon voters elected former Selectman **Jerry Gilchrist** to serve the remaining two years of **John Collopy's** term. Gilchrist was unopposed. Collopy had served as selectman for 15 years.

Liz Mockler is a freelance writer from Randolph and regular contributor to the Maine Townsman, lizmockler@hotmail.com

Merton Hickey, who has served as West Gardiner selectman for 30 years, easily defeated a challenger by a vote of 206-111.

Turner voters elected **Warren Hood** to a three-year term as selectman with 83 votes. Hood replaces **Ralph Caldwell**, who served as a selectman for 12 years, a member of the budget committee for 24 years and 19 years on the Leavitt Institute Board of Directors. The institute houses the town museum and library and a community room, as well as retail space. The town dedicated its 2016 annual town report to Caldwell, who also served on the Comprehensive Plan Committee to help draft two separate plans.

Chesterville Selectman **Tyler Jenness** was re-elected to a one-year term with 166 votes. Tyler was officially unopposed, but former Selectman **Scott Gray** received 64 write-in candidates.

Stanley Kitchin II was elected Detroit selectman with 29 votes, defeating a challenger, who received 21 votes. Kitchin replaces **Joseph Cianchette**, who retired last fall after serving 31 years as selectman.

H. Scott Landry Jr. was elected to a three-year term on the Farmington Board of Selectmen. Landry, who received 70 votes, was uncontested for the seat vacated by **Andrew Buckland**, who served for three years.

Waterford voters returned incumbent **Randy Lessard** to the Board of Selectmen. Lessard, board chairman, easily held off a challenger by a vote of 162-8.

Embden voters elected former Selectman **Wayne McLaughlin** over former selectman and current Somerset County Commissioner **Robert Dunphy** by a vote of 80-71 for a three-year term. McLaughlin, who served from 2009 to 2012, replaces **Elizabeth Pratt**, who did not seek reelection. Pratt served for three years.

New Sharon Selectman **Lorna Nichols** held off a challenger to win re-election to a second three-year term by a vote of 71-48.

Dale Piirainen defeated incumbent Selectman **Dennis Henderson** by just three votes for a three-year term on the West Paris Board of Selectmen. The vote was 42-39. Henderson had served 11 years as selectman. Piirainen is a former member and chairman of the town budget committee, whose family settled in the western Maine town more than a century ago. He also

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served 11 years on the school board.

Richard Powell Jr., chairman of the Nobleboro Budget Committee, was promoted by voters to the Board of Selectmen. He defeated former Selectman **Henry Simmons** by a vote of 105-16. Powell replaces **Walter "Al" Lewis**, who died in May 2016. Lewis' seat was not filled until the 2017 town meeting. He had served six years.

Norman Redlevske was elected to replace **Robert E. Gardner** as Mercer selectman. He received 40 votes. Gardner did not seek re-election after serving eight years.

Stonington voters re-elected **John Robbins** to another term on the Board of Selectmen with 108 votes, while **John Steed** won the second open seat with 100 votes. Steed replaces **Richard Larrabee Sr.**, who retired after serving more than 20 years.

Burnham voters elected **George Robison** over incumbent Selectman **Roger Chadwick** by a vote of 103-96. Chadwick had served three years on the board.

Newcomer **Michael Sheahan** defeated incumbent Sedgewick Selectman **Neil Davis** by a vote of 147-91. Davis had served nine years, from 1996 to 1999 and again from 2011 to 2017.

Anson voters elected **James Smith** over incumbent Selectman **Inez Moody** by 10 votes, 44-34. Moody had served 18 straight years on board. She received a standing ovation during the March 4 annual town meeting.

Strong voters elected **Rodney Spiller** over a challenger by a vote of 92-73. Spiller replaces **James Burrill**, who served for more than 10 years.

Vienna select board incumbents **Doris Thompson** and **Christopher Smith** held off challengers to win re-election to the Board of Selectmen with 134 and 129 votes, respectively.

Minot voters re-elected incumbent **Eda Tripp** over a challenger by a vote of 41-14.

Cambridge voters elected **Michael Watson** to replace incumbent Selectman **Ronald Strouse** by a vote of 60-53. Strouse had served on the board for 19 years.

Seth Webber ran unopposed to fill the seat vacated by New Vineyard Selectman **Fay Adams**, who did not seek reelection. Adams was presented a legislative sentiment for her 20 years of service to the town. ■

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ATTENDEE REGISTRATION

June 15, 2017

**Thomas College
Waterville, ME**



Maine Municipal Association

Presented by: Maine Municipal Association

In Cooperation with: Maine Local Government Human Resources Association



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KEYNOTE SPEAKER: Bruce Boguski

Our 2017 keynote speaker is Bruce Boguski, a sought-after, personal empowerment speaker whose life story sets the stage for his presentation. At age 18, Bruce was involved in a car accident that left him with a broken neck and a diagnosis that he would never walk again. Six months later, he walked out of the hospital – and he has never looked back. Today, Bruce speaks to groups around the country about how a positive attitude makes all the difference when dealing with difficult citizens, a challenging work environment and, really, just life in general. (Note: Our previously scheduled speaker, Norman Katz, had to withdraw from our event.)

Conference Agenda:

8:00 am: Registration

8:45 am: Welcome (Summit Rm)

Welcome by Stephen W. Gove, Executive Director, Maine Municipal Association, and Nick Isgro, Mayor of Waterville

9:00 – 10:00 am: Keynote Presentation (Summit Rm)

Successful Living in a Guerrilla World

Session summary: Financial pressure, the aftermath of 9/11, unrest in other parts of the world and countless other factors make it impossible for any of us to live without pressure and stress. In this powerful presentation, you will learn how to regain and keep control of your career and personal life. Now is the time to become mentally tough and conquer the serious challenges that face us all in the 21st Century.

Presenter: Bruce Boguski, motivational speaker, author, columnist and media personality.

MTCMA Certification – 1 point Leadership category

10:00 – 10:15 am: Break/Visit with Sponsors

10:15 – 11:15 am: Block 1

Marijuana in the Work Place (Auditorium)

It's legal. It's accepted. And it is in your community. Now, how do municipalities – as employers – monitor and enforce rules about on-the-job safety and responsibilities regarding the personal use of marijuana? Learn what the law allows, and does not allow, regarding marijuana use and detection.

Presenter: Attorney Stephen E. F. Langsdorf, chair of the Municipal Law Group and senior partner in the Employment Law and Litigation practice groups, Preti Flaherty.

MTCMA Certification – 1 point Human Resources category

GASB and – the Last Gasp? (Rooms 103/104)

What could be more fun than talking about health insurance and health-care reform? How about GASB 45? This session will bring you updates on both of these topics, and hopefully provide insights into the future of both. Join Martin Hanish, MMA's

Chief Financial Officer, for a discussion of GASB 45 and the upcoming transition to GASB 75; and Anne Wright, Director of Health Trust Services, for an update on the ever-changing world of health-care reform – which parts of the Affordable Care Act are still in effect, and which may be changing. This session is guaranteed to keep you on the edge of your seat!

Presenters: Martin Hanish, Chief Financial Officer and Director of Financial Planning, Maine Municipal Association; Anne Wright, Director, Maine Municipal Employees Health Trust.

MTCMA Certification – 1 point Human Resources and Finance/Budget categories

Freeport: A Hands-On Succession Case Study (Summit Rm)

Few towns were presented with the top management and succession-planning challenges that Freeport has seen in 2015, 2016 and this year, as a series of well-respected department heads retired. Here are the lessons learned during a trying transition period in one Maine town, a period that ended with optimism about the future of Freeport's municipal operation.

Presenter: Peter Joseph, Manager, Town of Freeport.

MTCMA Certification – 1 point Leadership category

11:20 – 12:20 pm: Block 2

The Smart Approach to Union Negotiations (Auditorium)

Expiring union contracts with municipal employees present challenges – and opportunities. At our members' request, this workshop will offer strategic advice about preparing for labor negotiations before both sides get to the bargaining table, and what to do when that day comes.

Presenters: Attorney Linda McGill, Bernstein Shur; David Barrett, Director of Personnel Services & Labor Relations, MMA.

MTCMA Certification – 1 point Human Resources and Legal categories

Social Media Dos and Don'ts (Rooms 103/104)

Municipalities are in the communication game, like it or not. This workshop offers examples and tips on effectively using social media, as well as practical advice on employee use of social media both on and off the job.

(Cont'd on next page)

Conference Agenda:

Presenters: Attorney Michael Stultz, MMA Legal Services Department; Detective Dorothy Small, City of Ellsworth; Eric Conrad, Director of Communication & Educational Services, MMA

MTCMA Certification – 1 point Leadership and Human Resources categories

Ethics in the Workplace (Summit Room)

We all want employees to perform their duties with the highest of ethical standards. Come and learn practical ways to build an ethical culture in every department of your town or city.

Presenter: Kristen Kellner, HR Consultant/Chief Learning Officer, KMA Human Resources Consulting, LLC

MTCMA Certification – 1 point Ethics category

12:20 – 1:20 pm: Lunch

Cafeteria style, "picnic" stations, can sit in cafeteria or outside.

1:20 – 1:30 p.m. Break/Visit with Sponsors

1:30 – 2:30 pm: Block 3

Defensible Documentation (Auditorium)

Back from 2016 by popular demand! A little preparation goes a long way. Attendees will be presented with useful templates necessary to include in every employee's personnel file. Deb Whitworth's motto is "keep it simple" and by the end of this session participants will know what to do, documentation-wise, and how to do it.

Presenter: Deb Whitworth, owner and CEO, HR Studio Group

MTCMA Certification – 1 point Human Resources and Legal categories

Why It Matters: Maintaining a Healthy Weight (Rooms 103/104)

Healthy living starts with achieving and maintaining a healthy weight. Here's how to get there or, if you're already at a healthy weight, how to keep a good thing going!

Presenter: Libby Parr, Health Promotion Specialist, MaineGeneral Workplace Health

Best Employment Practices – and a New Hotline (Summit Rm)

Employers today face a dizzying array of laws, regulations and potential challenges. Issues surrounding employee discipline, wage and hour, disability accommodation and social media can affect both morale and municipal finances. Attendees will learn about these issues and a telephone hotline – offered through a new program, "EPL Assist" – that will provide expert legal advice to members of the MMA Property & Casualty Pool.

Presenter: Melinda "Mindy" J. Caterine, attorney and shareholder, Littler Employment & Labor Law Solutions, Portland and Boston

MTCMA Certification – 1 point Human Resources and Legal categories

2:30 – 2:45 pm: Break/Visit with Sponsors

2:50 – 3:45 pm: Block 4

Building a Discrimination Free Work Environment (Auditorium)

Age, religious, gender and other forms of discrimination are constant concerns for municipal employers. This presentation will help you build a "discrimination free" environment, with a special focus on using care with older workers and the ancillary challenges – medical and otherwise – that they can bring.

Presenter: Rebecca S. Webber, Attorney, Skelton, Taintor & Abbott, Auburn
MTCMA Certification – 1 point Human Resources and Legal categories

Live Demonstration: The 'New' MMA Salary Survey (Rooms 103/104)

This Internet-based session will walk attendees through MMA's latest employment tool, which allows members to "slice and dice" salary and HR benefit information with considerable ease. Come learn more about this new tool and see it in action.

Presenters: Holly Maki, Dynamic Benchmarking; Carol Weigelt, Web Publishing Technician, MMA; Eric Conrad, Director of Communication & Educational Services, MMA

MTCMA Certification – 1 point Human Resources and Leadership categories

HIPAA for Municipalities, A-Z (Summit Rm)

If your city or town has an EMT or first responder service – paid, volunteer, nonprofit or otherwise – a violation may be just one call away. This session will cover what it means to make a declaration under HIPAA, what can go wrong and what you need to do in terms of reporting, training, policy development, preparing for an OCR investigation and more. In addition, we will walk through the distinct differences between HIPAA requirements and general privacy requirements under employment law as it relates to private health information and personal non-public information.

Presenters: Robert Bower, Jr. and Katlyn Davidson, Attorneys, Norman, Hanson & DeTroy, LLC

MTCMA Certification – 1 point Human Resources, Legal and Ethics categories

3:50 – 4:00 pm: Wrap up and thank you

Directions to Thomas College: Thomas College is located at 180 West River Road in Waterville, Maine. From Interstate 95 exit 127 (formerly 33), go east on Kennedy Memorial Drive (Route 137). In approximately 1.5 miles, turn right onto West River Road (Route 104 South). Thomas College is 1.5 miles on the left. **Please follow these directions instead of those provided by your GPS for the best route to campus.**

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PEOPLE

Wellington Fire Chief **Vaughn Bussell** and Secretary/Treasurer **Roger Ricker** were honored in April for 30 years of service each. They were presented plaques for their service during a dinner in their honor at the town fire station.



Paul "Bud" Caouette

Longtime Auburn police officer **Paul "Bud" Caouette** died April 23 after fighting pancreatic cancer. Caouette, 61, joined the Auburn force in 1995 and retired in 2016. A former Marine, he was popular with the public, as well as other officers, including many from surrounding towns. He was considered a mentor and coach to younger officers and a friend to all. A number of fundraisers had been held in his name. Within an hour of his death, the Auburn department's website page was filled with 100 comments in his honor.

Former Rockport police officer **Brent Davis** has been hired as Gov. Paul LePage's chief legal counsel after working as an assistant district attorney since 2000. Davis, who worked for Rockport from 1993 to 1999, most recently served as first assistant DA for Somerset and Kennebec counties.



Dave Dionne

Dave Dionne has been hired as town manager for the tri-town government of Mapleton, Castle Hill and Chapman, just west of Presque Isle. Dionne planned to continue his job as Island Falls manager until this month. Dionne is a Madawaska native who served in the U.S. Marines and the Nevada Army National Guard. He was among 20 applicants for the job, which requires him to manage the three towns but report to separate boards of selectmen. He replaces **Jon Frederick**, who accepted the manager's job in Jaffrey, N.H., in March.

St. Albans Road Commissioner **Ronnie Finson** has retired after 32 years of service to the town. Finson was hired in April 1985 as road foreman and then



Ronnie Finson

elected commissioner the following year. He ran successfully for reelection for the next 30 years. Finson, who received the 2017 Spirit of America award for his service and volunteer work, received a legislative sentiment

during the March 4 annual town meeting. The 2016 town report was dedicated to him, and the town garage where he worked for so long has been named in his honor.

Cumberland County Assistant Manager **Jim Gailey** has been named interim manager following the resignation of **Peter Crichton**, who began work as Auburn city manager in April. Gailey was hired as assistant manager in July 2016 after working for the City of South Portland for 30 years, the final nine as city manager.

Norway Town Manager **David Holt**, who has managed Maine municipalities for 41 years, announced in late April he will retire at the end of June. Holt, a Type 1 diabetic since childhood, recently suffered a third heart attack, leading him to decide to retire sooner than he might have otherwise. Holt has worked as Norway manager for the last 28 years – only the town's second manager in 43 years. Previously, he managed the towns of Princeton, Dexter and Standish. He is a member and former president of the Maine Town, City and County Management Association, which awarded him the coveted Linc Stackpole Manager of the Year Award in 1999. He earned an undergraduate degree in public management from the University of Maine, a program that has unfortunately been phased out, Holt told the Maine Townsman. "I

have really enjoyed the people of Maine," he said. "It's been an honor to serve them."

Wesley Johnson, who worked as a Portland police officer for 30 years, died April 10 at the age of 88. He patrolled Long Island, where he raised his family and worked part-time as a lobsterman for most of his life. During his police career, he also served as a Cumberland County deputy sheriff.

Rockport Selectman **Brendan Riordan** resigned in April, after unseating an incumbent in June 2016 municipal balloting. Riordan apologized for any inconvenience his hasty departure will cause the town. He resigned because he disagreed with many decisions made by the Board of Selectmen. Riordan said he preferred to resign so he would not obstruct board business and after deciding he could not be the change-agent he had hoped when elected.



Ginny Todd

Rumford Children's Librarian **Ginny Todd** was set to retire May 6 after a 32-year career at the Rumford Public Library. An open house was scheduled in early May in her honor. Todd was first hired as a part-time library assistant. In 1994, she was promoted to the full-time children's librarian. In looking back over her career, she remembered a particular year when four sets of twins attended her preschool story time program. Todd said she plans to volunteer at the library after her retirement, as well as spending more time with her grandchildren, playing more golf with her husband and enjoying her "little summer car." ■

If your municipality submits a news item for the Townsman, consider sending a corresponding photo to:

Eric Conrad or Jaime Clark
(econrad@memun.org or jclark@memun.org)

STATEWIDE

As hotel and inn owners across Maine prepare for the busiest part of the tourism season, they are facing a growing shortage of summer workers. Among the reasons are changes in the H-2B Visa program that allows workers from Jamaica and other countries from being rehired this year; an aging workforce; record low unemployment; and an increase in rooms and restaurants in some of the busiest tourism destinations. One inn owner in Ogunquit told the Bangor Daily News that she had not seen such a tight labor market in the 22 years as an inn owner. The industry contributes nearly \$6 billion to the Maine economy. The so-called "shoulder seasons" (before Memorial Day and after Labor Day) also are growing busier as seniors and others prefer to avoid the summer hubbub. In late April, U.S. Sens. Susan Collins and Angus King were lobbying congressional leaders for the H-2B Visa cap to be lifted in time for the summer tourism season. According to VisitMaine, the top 10 tourism communities are Boothbay Harbor, Bar Harbor, Camden, Castine, Kennebunk/Kennebunkport, Ogunquit, Old Orchard Beach, Portland, Rockport and York.

AUGUSTA

Hundreds of Maine first responders converged on the capital in late April for an annual two-day conference on preparation for various kinds of major emergencies. The conference was sponsored by the Maine Emergency Management Agency and covered issues such as hurricanes, ice storms and flooding, among other natural disasters. Other training topics included chemical and oil spills, active shooter situations and protecting crucial infrastructure.

HALLOWELL

The long-awaited reconstruction of Water Street was expected to begin early this month and continue through October 2018. The controversial project has been debated and discussed for years. The Maine Department of Transportation estimates the project will cost \$5 million to dig up and reconstruct 2,000 feet of roadway and parking space, which is part of U.S. Route 201. The street has been bowed on both sides for years. MDOT's plan will mitigate a traffic nightmare in

NEW ON THE WEB www.memun.org

Highlights of what's been added at www.memun.org since the last edition of the Maine Townsman.

Census Preparations. Officials with the U.S. Census Bureau are working hard to raise awareness among municipal officials for the upcoming decennial Census.

Awards for Planners. The Maine Association of Planners wants nominations for a variety of annual awards, recognizing citizen planners, professional planners and exemplary projects.

Rural Water Training. The Maine Rural Water Association will hold a series of training opportunities across the state this month.

the city located between Augusta and Gardiner by keeping one lane open to traffic and having crews stop work at 3 p.m. on Fridays. All work will be halted during the famous Old Hallowell Day festival. Final paving will be conducted over four days in June 2019.

HARPSWELL

Residents on the peninsula town that comprises Bailey Island and Orr's Island are hoping visitors to the Giant Stairs will behave better this summer. Last year, after the hidden natural rock formation was highlighted in a story in Downeast Magazine, traffic to the 2.5-acre coastal strip of rock increased by as much as fifty-fold, according to some residents. Many visitors to the Bailey Island site were loud and rude, and caused constant concerns about speeding on the narrow twisting island roads. They were also dirty, strewing litter all over the rock formation itself. An abutting protected parcel of land prevents the town from creating any sort of parking space, so visitors left their cars on private property along the dead-end street. Selectmen are working on drafting a parking ordinance and plan to post the street as dead-end to discourage visitors – or at least slow them down.

MILLINOCKET

Despite some confusion in recent news reports, federal Interior Secretary Ryan Zinke is not expected to include the new Katahdin Woods and Waters National Park as part of a review of the monuments created by former President Barack Obama. Zinke will review monuments, which become federal land with the designation and therefore cannot be developed, which are 100,000 acres or larger. Gov. Paul LePage opposes the new monument,

an expanse of 87,500 acres which borders Baxter State Park, and has lobbied to get the monument's designation reversed. President Donald Trump has ordered the review, saying the new monuments are federal land grabs that hurt the economy and prevent possible oil and gas drilling. The Maine monument created both intense opposition and support over the past two years, with supporters winning out last August. A park office has been opened in Millinocket and the monument area is already being credited for increased economic development and tourism in the Greater Millinocket region.

UNITY

The Waldo County Trails Coalition will open its new 47-mile trail on National Trails Day in June. The Hills-to-Sea Trail connects central Maine to the midcoast region, winding its way from Unity to Belfast through the towns of Knox, Freedom and Montville, among others.

WESTPORT ISLAND

The town has prevailed in an eight-year dispute, which ended with a court decree, over the boundary of the roadway bordering a couple's property on Baker Road. The couple had repeatedly tried to claim a section of the road as theirs by littering it with debris, boulders, tree stumps and even old boats, narrowing the public right of way road by eight feet. The couple, first warned in 2008 to clear the roadway, reached agreement in April that confirmed the town's original claim and requires the property owners to remove all obstructions. The town had finally filed court action against the couple in November 2015 and obtained a restraining order the following month to ensure the town could keep the road plowed. ■

MUNICIPAL BULLETIN BOARD

SPECIAL SESSION!

MAY 23

How to Lead Effective Meetings: Boothbay Harbor

This new, member-requested workshop is designed to help anyone who leads or participates in meetings. The hands-on program will offer tips to increase collaboration and successful meeting results in both public and private settings.

The workshop will be held on May 23 at the Spruce Point Inn in Boothbay Harbor. Registration begins at 8 a.m. and the workshop will run from 8:30 a.m. to 3:30 p.m. Nancy Ansheles, a meeting and facilitation expert from Portland, is the instructor. Cost is \$70 for MMA members and \$140 for non-members. The Maine Town, City and County Management Association is offering six Leadership Category credits for its members who attend.

MAY 24

Elected Officials Workshop: Skowhegan

Attorneys and staff from MMA's Legal Services and Communication & Educational Services departments will lead a workshop for elected officials on May 24 at the Margaret Chase Smith Library in Skowhegan. The evening workshop begins with registration at 4 p.m. and ends at 8:30 p.m., including a light dinner. Officials who attend will receive a certificate saying they have met the state's Freedom of Access training requirement.

The workshop is designed for newly elected officials, but veteran councilors and select board members will benefit from the refresher and legal updates as well. Topics include: open meeting and records; roles and responsibilities; effective communication; media relations; and, conflicts of interest, among others. Cost for the workshop is \$55 for MMA members and \$110 for non-members.

JUNE 1

Highway Congress: Skowhegan

The Maine Chapter of the American Public Works Association will hold its 26th Annual Highway Congress at the Skowhegan Fairgrounds on June 1, starting with registration at 7 a.m.

The full day of events includes demonstrations on crack sealing, welding and heavy equipment operating, as well as a skid steer rodeo and equipment tryouts. The event, which features its legendary chicken barbecue lunch, will conclude by 3 p.m.

JUNE 6

Planning Boards/BOA: Presque Isle

MMA's Legal Services Department will host a session for local Planning Board and land use Boards of Appeal members from 4 p.m. to 8:30 p.m. on June 6 at the Presque Isle Inn and Conference Center.

The workshop is designed as an introduction for new or less experienced members, but veterans may find an update useful as well. Among the topics to be covered: jurisdictional issues; conflicts of interest and bias; public notice requirements; site visits; procedure for decisions; and, variances. The cost is \$55 for MMA members and \$110 for non-members.

JUNE 8

Basic Municipal Budgeting: Dover-Foxcroft

Biddeford City Manager James Bennett and Brunswick Town Manager John Eldridge will co-present MMA's valuable and long-running workshop on Basic Municipal Budgeting on June 8 at Mayo Regional Hospital in Dover-Foxcroft.

The interactive session looks at understanding, preparing and presenting town and city budgets. Attendees won't just listen to how the budget process is done – they will be asked to do it themselves. Cost for the workshop is \$75 for MMA members and

\$150 for non-members. Registration begins at 8:30 a.m.

JUNE 20

Elected Officials Workshop: Machias

Attorneys and staff from MMA's Legal Services and Communication & Educational Services departments will lead a workshop for elected officials on June 20 at the University of Maine Machias' Science Building. The evening workshop begins with registration at 4 p.m. and ends at 8:30 p.m., including a light dinner. Officials who attend will receive a certificate saying they have met the state's Freedom of Access training requirement.

The workshop is designed for newly elected officials, but veteran councilors and select board members will benefit from the refresher and legal updates as well. Topics include: open meeting and records; roles and responsibilities; effective communication; media relations; and, conflicts of interest, among others. Cost for the workshop is \$55 for MMA members and \$110 for non-members.

JUNE 27

New Managers Workshop: Augusta

A workshop for new municipal managers will be held on June 27 at MMA's Christopher G. Lockwood Conference Center in Augusta. The workshop will feature numerous speakers from MMA staff and from the Maine Town, City & County Management Association, including MMA Executive Director Stephen Gove and MTCMA President Peter Crichton, manager in the City of Auburn.

The workshop will provide information about the roles of municipal managers, the rights and protections offered to public employees in Maine, the International City/County Management Association Code of Ethics and the variety of services offered at MMA. ■

All of the upcoming workshops can be found on the MMA website.

Use the following link:

<http://www.memun.org/TrainingResources/WorkshopsTraining.aspx>

LEGAL NOTES

'Administrative Corrections' To Fix Ordinance Mistakes?

Question: Is it permissible for staff members to make "administrative corrections" to fix mistakes in the body of an ordinance enacted by the municipal legislative body (town meeting or town or city council)?

Answer: No, there is no lawful method for correcting errors or omissions in an ordinance without using the same legislative process by which the ordinance was first enacted.

As we noted here several years ago, any change to an ordinance, whether substantive or simply to fix a clerical error, and whether the error is obvious or subtle, requires action by the same body and the same process as for enacting the ordinance (see "Ordinance 'Typos,'" *Maine Townsman*, Legal Notes, January 2011).

We should also have mentioned (but didn't) that if the legislative body does not make the corrections, the municipal clerk cannot truthfully certify that the corrected ordinance is in fact a true copy, in all respects, of the ordinance enacted by the legislative body (see 30-A M.R.S.A. § 3006). This could have very serious consequences if the validity of the ordinance is questioned, for example, in an administrative or judicial enforcement proceeding.

For details on the ordinance enactment process, see our "Information Packet" on the subject, available free to members at www.memun.org. (By R.P.F.)

Executive Sessions & Labor Negotiations

Question: Can our board conduct labor negotiations with our employee union representatives in executive session?

Answer: Yes. In fact, Maine's Freedom of Access Act (FOAA) or "Right to Know" law appears to *require* that collective bargaining between a board and labor union officials be done in executive session unless both parties agree otherwise (see 1 M.R.S.A. § 405(6)(D)). This means, however, that (1) prior public notice of the meeting is required, (2) the motion for an executive session must be approved in public, and (3) once the executive session is concluded, the board must reconvene in public to adjourn. The motion must also name the parties as well as specify the law authorizing the executive session.

It is also permissible for a board to

discuss labor contract proposals and to strategize with its own representatives in executive session, without the other side being present.

We should note, though, that it is unusual (except in smaller towns) for a full board to be conducting labor negotiations. More commonly it is staff and perhaps a consultant who negotiate on behalf of the municipality. If no board is involved, FOAA's "open meetings" requirements do not apply of course, and negotiations may freely be conducted in private, without public notice or an executive session.

Also noteworthy is that, whether labor negotiations are conducted by staff or by a board, all materials prepared for and used specifically and exclusively by a municipality in collective bargaining are confidential (see 1 M.R.S.A. § 402(3)(D)). Any resulting agreement or contract, however, is a public record. (By R.P.F.)

Training Requirements for Other Local Officials

As we noted here last month, with one exception, there are no legally imposed training requirements for municipal officers (selectmen and councilors) (see "Training Requirements for Municipal Officers," *Maine Townsman*, Legal Notes, April 2017).

The exception is for training in Maine's "Right to Know" law, which municipal officers as well as school board members, public access officers and elected clerks, treasurers, assessors and budget committee members must complete within 120 days of taking office (see "Reminder to New Officials re Right to Know Training," *Maine Townsman*, Legal Notes, March 2011). Other than this, the officials above are not subject to any legally imposed training requirements.

But there *is* legally required training for a variety of other municipal officials. Here, in alphabetical order, are all the ones we know of:

Animal control officers must complete the Department of Agriculture, Conservation and Forestry's basic training program within six months after appointment and must attend at least eight hours of advanced training annually (see 7 M.R.S.A. § 3947).

Assessors (full-time, professional assessors) must complete the State Tax Asses-

MUNICIPAL CALENDAR

ON OR BEFORE JUNE 15 — Monthly/Quarterly expenditure statement and claim for General Assistance reimbursement to be sent to Department of Human Services, General Assistance Unit, DHS #11, Augusta, ME 04333 (22 MRSA §4311).

JUNE 30 — Pinball machine licenses expire on this date (8 MRSA §443). ■

sor's training program and be certified by Maine Revenue Services before being employed and must complete at least 16 hours of training annually (see 36 M.R.S.A. §§ 327, 311).

Building officials (aka building inspectors) in municipalities that enforce the Maine Uniform Building and Energy Code (MUBEC) must complete the Office of Community Development's training in building standards within 12 months after employment and must be recertified every six years (see 25 M.R.S.A. § 2351-A; 19-498 C.M.R. ch. 300 (2014)).

Code enforcement officers must complete the Office of Community Development's basic training and training in areas of actual job responsibilities within 12 months after employment and must be recertified every six years (see 30-A M.R.S.A. § 4451). Also, code enforcement officers who are authorized by the municipal officers (selectmen or councilors) to prosecute violations in court must first be trained and certified by the Office of Community Development (see 30-A M.R.S.A. § 4453).

Harbor masters must complete a basic training course offered by a statewide harbor masters association within one year after appointment or reappointment unless they have previously completed such a course (see 38 M.R.S.A. § 1-A). Also, harbor masters who are authorized to make arrests or carry a firearm must complete preservice and in-service law enforcement training at the Maine Criminal Justice Academy (see 25 M.R.S.A. § 2804-l).

Health officers who are not otherwise qualified by education, training or experience must complete the Maine Center for Disease Control and Prevention's training program within six months after appoint-

LEGAL NOTES

ment and must complete at least six hours of training every three years (see 22 M.R.S.A. § 451; 10-144 C.M.R. ch. 294 (2008)).

Firefighters must attend training programs as scheduled by the fire chief and offered by the fire department, as required by law and monitored by the Bureau of Labor Standards (see 30-A M.R.S.A. § 3154(2); 26 M.R.S.A. §§ 2102, 2106).

Law enforcement officers must complete certain basic, preservice and in-service training courses at the Maine Criminal Justice Academy, depending on their full-time or part-time status and whether they are authorized to make arrests or carry a firearm (see 25 M.R.S.A. §§ 2804-B, 2804-C, 2804-E; 16-227 C.M.R. ch. 5 (2004)).

Municipal agents for hunting & fishing licenses must complete training as required by the Department of Inland Fisheries and Wildlife (see 12 M.R.S.A. § 10801(2); 09-137 C.M.R. ch. 21 (2001)).

Municipal agents for vehicle registrations must complete training as required by the Secretary of State (see 29-A M.R.S.A. § 204(2); 29-250 C.M.R. ch. 110 (2016)).

Plumbing inspectors must complete the Office of Community Development's basic training and training in internal plumbing and subsurface wastewater disposal rules before being employed and must be recertified every six years (see 30-A M.R.S.A. §§ 4221, 4451).

Registrars of voters must attend a training program approved by the Secretary of State at least every two years (see 21-A M.R.S.A. § 101(9)).

Shellfish conservation wardens must be certified by the Department of Marine Resources within one year after appointment and must complete additional training at least every three years (see 12 M.R.S.A. § 6671(8)(B); 13-188 C.M.R. ch. 4 (2016)). Also, shellfish conservation wardens who are authorized to make arrests or carry a firearm must complete preservice and in-service law enforcement training at the Maine Criminal Justice Academy (see 25 M.R.S.A. § 2804-I). (By R.P.F.)

Can Selectmen Serve as Board of Appeals?

Question: We've had difficulty maintaining a quorum on our board of appeals. Can our board of selectmen serve as our board of appeals?

Answer: Unfortunately perhaps, no.

Municipal officers (selectmen or councilors) and their spouses are expressly prohibited from serving simultaneously on a board of appeals (see 30-A M.R.S.A. § 2691(2)(B)). We think this also effectively prohibits a board of selectmen from serving as the board of appeals.

As we've noted before, any municipality with a zoning ordinance, including shoreland zoning, *must* have a board of appeals (see "No Board of Appeals?," *Maine Townsman*, Legal Notes, January 2012). There is no legal alternative or default. An appeal cannot bypass the board and go directly to court. The court must dismiss it for "failure to exhaust administrative remedies" (see *Cushing v. Smith*, 457 A.2d 816 (Me. 1983)). The dismissal may be coupled with an order to appoint a sufficient number of appeals board members to act (see *Fletcher v. Feeney*, 400 A.2d 1084 (Me. 1979)).

We appreciate that finding qualified volunteers to serve on a board of appeals can be a challenge. As a reminder, though, we note that local residency is not required in order to serve on a board of appeals unless by municipal charter (see 30-A M.R.S.A. § 2526(3)). Thus, it may be possible to recruit members from another board of appeals to serve on your

board, even if only temporarily for a pending appeal.

We also acknowledge that serving on a board of appeals is probably one of the more technically demanding roles in municipal government. For this reason, we recommend MMA's comprehensive *Board of Appeals Manual*, available free to members at www.memnu.org.

MMA also sponsors at least half a dozen workshops annually for boards of appeals (and planning boards) at various locations around the state. For information on when and where, see our annual training calendar under "Workshops & Training" at www.memun.org. (By R.P.F.) ■

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