

# Maine Town & City

JUNE 2023 | VOLUME 85 | ISSUE 6

## The Aesthetic Side of Public Works

The positive impacts associated  
with landscaping.

### ALSO IN THIS ISSUE:

Increasing Cost of Disposing of Biosolids

MMA Essay, Scholarship & Internship Winners

Honoring Ivan McPike



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# Maine Town & City



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**YOUTH ENGAGEMENT.** Catherine Conlow, MMA Executive Director, discusses the Association's efforts to encourage young Mainers to consider a career in local government service. As Conlow notes, "Engaging youth...is no longer a nicety, but a necessity." **PAGE 5**

**THE AESTHETIC SIDE OF PUBLIC WORKS.** Whether it is referred to as streetscaping or beautification, efforts to soften public spaces through landscaping have positive impacts on economic development, the environment, and the overall wellbeing of residents and visitors. **PAGE 7**

**HOMELESSNESS ON THE RISE.** Fueled by rising rental rates, lack of housing inventory, as well as struggles with mental health and substance use issues, the numbers of homeless individuals are increasing in Maine's largest communities. However, municipal leaders are rising to the challenge, even if just one person is housed, it is a victory worthy of celebration. **PAGE 17**

**Q&A WITH ELLA BOWMAN.** Oakland's town manager, Ella Bowman, was recently awarded the 2022 Municipal Employee of Year award from the Mid-Maine Chamber of Commerce for outstanding leadership. Bowman credits kindness, integrity, hard work, and openness to change as the strategies contributing to her community's successes. **PAGE 21**

**DISPOSING BIOSOLIDS.** Described by Winslow town manager, Erica LaCroix as "a battle between what is good for the environment and what we can afford to do," this article examines the fixes necessary to address recently enacted state polices impacting the cost of disposing sludge. **PAGE 29**

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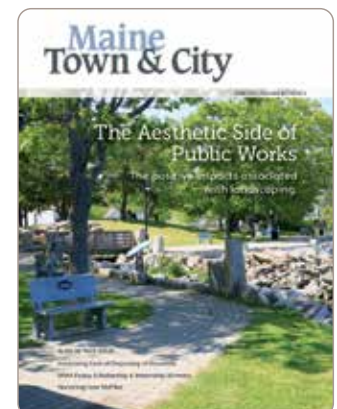
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### ABOUT THE COVER

A picturesque path along the Kennebec River and Waterfront Park, the result of the Riverwalk project in Bath. (Photo by Rebecca Lambert, MMA)



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# Youth Engagement Is Vital to the Future of Local Government

By Catherine M. Conlow/Executive Director/ Maine Municipal Association

The importance of engaging young people cannot be understated. More than 35% of the workforce in local government is on the brink of retirement and the challenge of finding replacements for those workers is only increasing. Engaging youth in local government is no longer a nicety, but a necessity.

The research shows that young people have similar goals as their parents, which is to make a positive impact in the world. They want jobs with purpose and to make a difference in their communities, making careers in local government an extremely attractive option.

If the research shows that positions in local government careers offer younger employees a decent paycheck, good benefits, upward mobility, a diversity of job opportunities, and a career that makes a difference, then why are we still struggling to attract young people? A 2022 survey conducted by Next100 and GenForward indicated that **just 18%** of adults between the ages of 18 and 36 reported any interest in working for local government. Research conducted by the Pew Research Center suggested that **only 25%** of young people trust government.

Engaging youth is imperative if we are to attract and retain a robust and diverse workforce. Many reasons have been cited for youth disengagement in public service, including a lack of understanding of local government, vitriol of politics, the media portrayal of local government officials as mediocre bureaucrats, and the depiction of other careers as more meaningful and exciting.

The question then becomes how can local governments counter youth disengagement and reverse that trend? The widely held belief is that we need to do a better job of engaging our youth in local government. Internships, like those supported by MMA through the Margaret Chase Smith Policy Center at the University of Maine, are a good start but they will not be enough to stem the projected workforce shortages in local government.

Strategies used in some communities to engage youth in local decision-making have taken forms ranging from



simply encouraging youth participation in decisions on specific issues of interest to implementing fully developed youth commissions. Although a commission is a monumental undertaking for many of our municipalities, the lesson is clear. Engaging youth directly in decision-making can energize them for careers in local government.

That said, there are other less formal ways to engage youth.

My own introduction to local government was at age 14, when the community needed a judge for the decorated bicycles featured in the 4th of July parade. Now, I may have used that opportunity to “right” the perceived “injustices” that were perpetrated when the kids’ bicycles that had adult or professional help were given ribbons over those that had none. Did I create a huge problem for the parade committee? Yup, because the rules were straight forward: look for the best decorated bikes, with no reference to who decorated the bike. Despite never being asked to judge again, my passion for community was ignited and I had generated my own ideas for how to correct this terrible injustice. I told myself that when I am in charge, I will do it differently.

The point to this story is that there are small opportunities to engage youth in local government. Maybe it is as simple as inviting them to serve on an annual festival planning committee, art commission, or even to help to work on a grant application. Every community in Maine has small opportunities that can ignite a lifelong passion for local government and community in our youth.

The growing immigrant population in Maine also represents a huge untapped pool of potential municipal workers and community leaders. Research shows that the immigrant population is highly skilled and motivated to create a better life, however many of those who immigrate may come with an inherent distrust of government. The first introduction to local government for many immigrants is often with their children’s school. Engaging the children of immigrant populations offers local governments a potential bridge to volunteers and a highly skilled and eager workforce.

Municipal officials can also engage youth by simply reaching out to area schools and offering to share infor-

mation about local government and careers in a class presentation or a career day program. Consider sponsoring a career day at the school, or better yet, inviting students to visit the town office. Foster a relationship with service organizations such as the high school Key or Junior Achievement club. One of my favorite organizations, Jobs for Maine Graduates, is a program that is successfully connecting at-risk youth with career opportunities.

Additionally, many high school students need to complete community service projects as part of their graduation requirements, and connecting with those schools and students to identify municipal needs that fit their community service guidelines could be fruitful. Many students are looking for opportunities to explore different career fields and gain some professional experience, so you may also work with your local schools to set up job shadow or internship experiences for students. Finally, many municipalities hire high school students for seasonal jobs – consider ways that you might expose those students to broader municipal careers and local government during their seasonal work.

Not to be left out, in this month's magazine MMA is featuring the winners of the 7th grade essay contest (page 13), the high school students who are the recipients of the first annual Douglas M. Eugley Memorial Scholarship for Public Service (page 25), and the MMA Summer Municipal Intern Program grants awarded to municipalities to support summer internships, which are listed in a sidebar to this article. The MMA Executive Committee established these programs with the expressed purpose of engaging young people in local government service.

Specifically, the essay contest asks 7th graders from around the state to tell us what they would do if they ran their communities. The answers are impressive, and equally as important, the essay prompts participants to think about what local government is and how it can shape individual's lives.

In partnership with the Margaret Chase Smith Policy Center, MMA has provided grants to support four summer internships in local government. In addition to the exposure to local level governance, this year, the Executive Committee has invited interns to participate in MMA training programs, conferences, and the Annual Convention free of charge.

Finally, the Executive Committee awarded three scholarships to Maine high school students planning to further their education, whether it be at a community college or university, trade school or certification program, with the intent to pursue a career in local government or public service. The recipients were impressive. In fact, two were already training for careers in law enforcement and emergency medical services. Whether or not your community has a formal internship program or a scholarship recipient, MMA invites all member com-

munities to consider how MMA's services may be used to engage young people in local government.

Exposure to local government careers is the key and careers in local government can be very appealing to the values held by younger generations. A variety of work, good benefits, a decent paycheck, and the chance to make a difference in our world. 🏡

## Four Maine Communities Receive Internship Grants

The Executive Committee is pleased to announce the four municipalities selected to receive 2023 MMA Summer Municipal Intern Program grants, which is implemented in collaboration with the Margaret Chase Smith Policy Center. The goal of the program is to introduce students to careers in municipal government, make professional connections, and engage in meaningful work experiences. The \$3,000 grants were awarded to partially offset costs associated with the intern salaries.

### Congratulations to this year's winners:

- Town of Gray – Communications/Outreach Assistant
- Town of Chelsea – Municipal Road Surveyor with Data Entry
- Town of Union – GIS Assistant
- Town of Lisbon – Town Manager's Office Internship

For more information about the program, please contact Peter Osborne, MMA's Director of Educational Services at [posborne@memun.org](mailto:posborne@memun.org) or 1-800-452-8786.



# The Aesthetic Side of Public Works

Call it what you may, but beautification efforts have positive impacts not only on the wellbeing of our residents, but also on economic development.

By Stephanie Bouchard

The back side of South Portland’s city hall is now a large garden filled with colorful annuals. You might think such a beautiful spot came about because of a lot of advanced planning, but it kind of happened by mistake, says Mary Lou Fathke, South Portland’s city gardener.

The city did some drainage work behind the building and when it came time to clean up after the work was done, the question was what to do to make the area look nice. Shrubs were out of the question, so garden beds went in instead, she said.

As South Portland demonstrates, municipal landscaping can be much more than putting shrubs around your municipal buildings, and the impact can be significant on many levels – not just visually.

“It’s a really broad topic that goes beyond just public works and really seeps into every department,” says Emily Ruger, Bath’s director of community and economic development. “Whether you call it place-making or beautification or just a streetscape, it’s just integrated into all of our thinking of how we can make a place look better, look nicer, and it’s of course connected to economic development – businesses wanting to be here – tourist attraction, and just general quality of life for our residents, which is huge.”

“There’s really endless benefits to creating a greener, more well-landscaped city,” says Matthew Williams, Ellsworth’s city planner. “It increases a sense of place . . . It makes people proud of where they live, so it increases that sense of community. And there’s additional side benefits that help with water regulation and mitigation. When there’s more soil and more plants to take up the water, there are less flooding areas or less runoff, and it helps with traffic safety in some subtle ways.”

Let’s take a quick look at how these three communities – South Portland, Bath, and Ellsworth – use plants.

**South Portland:** South Portland has made landscaping and beautification efforts a priority for decades. It is home to one of the only municipal greenhouses in



Civil War monument on Meetinghouse Hill. (Photo by Mary Lou Fathke)

the state, which provides plants for the annual beds at city hall as well as several other municipal gardens and plantings in the city. Fathke, a horticulturist, was South Portland’s full-time, year-round city gardener for 17 years, but now works part-time, March to November.

In the city’s greenhouse, she grows all the plants for the city’s summer through fall displays from seed. She

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Municipal greenhouse. (Photo by Mary Lou Fathke)

and maintain flower baskets, containers, and displays throughout the downtown area.

**Ellsworth:** The city's highway and public works departments work with the local garden club and a third-party contractor to create and maintain plantings at its parks, municipal buildings, and along heavily trafficked roadways. Since the pandemic began, the city shuts down a side street between Main Street and the city hall parking lot in the summer and converts it into a pop-up park with trees and plants in containers alongside picnic tables. Using a Project Canopy grant, the city staff and garden club volunteers planted street trees in areas that had been grass and also began an urban forestry project. The city also collaborates with the Heart of Ellsworth, a nonprofit downtown organization, that puts out and maintains flower boxes and plantings on the Union River Bridge and along Main Street. 🏡

also plants 6,000 bulbs in the fall to provide color across the city in the spring before the annuals are planted in municipal garden beds. All the gardens and a handful of container plantings that she maintains are planted with annual flowers rather than perennials, she says, because perennial beds require too much maintenance.

Having a municipal greenhouse is a big benefit to the city because they can grow their own plants rather than having to purchase plants from a retail or wholesale greenhouse, which can get pricey, she says. Also, by growing their own plants, they are assured to get the plants they want rather than potentially settling for what's available on the market, and she can keep "spares" in the greenhouse to replace plants lost to vandalism (from humans or wild critters) or natural plant die-off. Occasionally, she plants a small selection of herbs in the greenhouse to use for wellness presentations to city employees and residents.

**Bath:** The Kennebec River is a dominating feature of the city and its downtown. Over the last decade, the city has enhanced this natural asset by creating a riverwalk. Plants and trees were added around new and existing hardscapes and a new park with a garden was created on the south end of the walk, replacing a parking lot. Sustainable landscaping, including trees, is part of the design process the city is now undergoing for an underutilized area of the downtown. The landscaping will provide shade, which will reduce temperatures in an area of the downtown that's all buildings and asphalt and may help with drainage and runoff. The city also partners with the local garden club and Main Street Bath, a nonprofit downtown organization, to put out

### Here are some things to consider as you think about using landscaping and plants in your community:

- Use a landscaping or planting project as a community-builder. **"The opportunity for landscaping is kind of a way to bring the community together because it's something that a lot of groups or individuals can help participate in," - Matthew Williams.**
- Seek out partners, such as nonprofits, local businesses, and volunteers, and collaborate, say Ruger and Lisa Sekulich, Ellsworth's public works director.
- Landscaping projects don't have to be huge, Sekulich says. A number of smaller projects over time add up to a lot that can make a significant impact throughout your community.
- Include estimates for landscaping in your budgets for non-landscaping-specific projects and grant proposals. Bath, for example, included landscaping in their grant proposal for a park lighting project.
- Determine what you have for resources – funds, people and time – and what you'll need to create and maintain a landscaping project.
- Make sure your gardens or plantings have access to water. **"Water is a huge deal and it's not cheap to sink a pipe in the ground to bring water to something,"** says Fathke.
- Assess your natural resources and use those as a starting off point, says Ruger.



# Municipal Election Results

A recap of the March through May elections.

By Liz Mockler

The following are among the official results from municipal town meeting elections from March through May. Only select board and town council races are listed. For space considerations, unopposed incumbents and challengers are not included in the listings unless they served previously. The results are based on news reports and interviews with town clerks. They are listed in alphabetical order by municipality.

**Anson:** Newcomer Sharon Mellows received 91 votes and held off one challenger to fill the seat vacated by Angela Hawkins, who moved out of town.

**Belgrade:** Residents elected Peter Rushton, planning board chair, to fill the unexpired term of Richard Damren, who died last October. Rushton defeated a challenger 187 to 42.

**Boothbay Harbor:** Mark Osborn and Mark Gimbel won the two contested seats with 374 votes and Gimbel with 323 votes, respectively. Incumbent Denise Griffin lost with 226 votes. Tricia Warren did not seek re-election.

**Brownville:** Alaina Zelkan ran unopposed to replace select board member, Dean Bellatty, who did not seek reelection. She received 18 write-in votes.

**Canaan:** Former selectperson Kathleen Perelka ran unopposed to replace Charles Worcester, who did not seek reelection.

**Chesterville:** Voters elected a pair of newcomers in Eric Hilton and Anne Lambert. Hilton defeated incumbent Tiffany Estabrook, who was seeking a step up to a three-year term. The vote was 112 to 30. Lambert ran unopposed to replace Carroll Corbin, who decided against running again.

**Cranberry Isles:** Newcomer Mandy Bracy defeated incumbent Florence Joy Sprague by a vote of 21 to 19 to win a term on the select board.

**Dixmont:** In a matchup to replace selectperson Beverly Pare, Jim Zimmerman defeated David Cookson by two votes, 57 to 55. Pare served nine years on the select board and taught school for 30 years before retiring.

**Freedom:** Newcomer Ryan Willette defeated incumbent Elaine Higgins, who served a three-year term. The vote was 64 to 51.

**Hebron:** Derek Pike was elected to replace selectperson Curtis Smith, who did not seek reelection.

**Jackson:** Scott McCormick defeated former selectperson Cindy Ludden by a vote of 82 to 72. Ludden was hoping to return to the select board after resigning to care for her aging parents.

**Morrill:** Brian Simmons ran unopposed to fill the vacant seat created when selectperson Gary Sheldon died last July.

**Mount Chase:** Write-in candidate Craig Hill was elected to a three-year select board seat with 23 votes. A second write-in candidate garnered 13 votes. Hill will replace Rhonda Houtz, who did not seek reelection.

**New Sharon:** Newcomer Kevin Libby defeated select board chairwoman Lorna Nichols, who manages nearby Belgrade. Libby was a member of the planning board at the time of the election. He will serve a three-year term. Nichols was first elected in 2014 and served three straight terms.

**Norridgewock:** Newcomers Ronnie Blodgett and Kelsea Bickford won seats on the select board, replacing incumbent Charlotte Curtis and James Lyman, who did not seek re-election. Curtis is a member of the town planning board.

**Orono:** Newcomers Sarah Marx and Daniel Demeritt won the two open seats on the town council. Marx, a write-in candidate, collected the most votes with 432. Demeritt, whose name was on the ballot, won the second open seat with 408 votes. Incumbent Meghan Gardner lost her bid for re-election, collecting 391 votes.

**Pittston:** Joseph “Joe” Caputo defeated a challenger by a vote of 213 to 195 to replace selectperson Kerri Ferris, who did not seek reelection.

**Prospect:** Brandy Bridges defeated a challenger to win the seat vacated by Bill Sneed.

**Rome:** Newcomer Robert Hudson defeated a challenger by a vote of 79 to 63 to replace selectperson Paul Anderson, who did not seek reelection.

About the Author: Liz Mockler is a freelance writer from Newport and regular contributor to *Maine Town & City*, [lizmockler@hotmail.com](mailto:lizmockler@hotmail.com).



# *Home is Key*

**Do you have citizens with past due municipal bills?**

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The Maine Homeowner Assistance Fund may be able to help homeowners that have been impacted by COVID-19 pay back and future mortgage payments, **property tax bills**, and home **utility bills** including **sewer, water & heating costs**.

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**Roxbury:** Ray Hodson was elected to fill a seat on the select board that has been vacant for nine months. He was the only person to file nomination papers.

**Sidney:** Newcomer Hope Boyce defeated incumbent selectperson Ronda Snyder by a vote of 89 to 35.

**Smithfield:** Selectperson Richard Moore defeated a challenger by a vote of 99 to 81 to win another term, while Laurie Landry held off a challenger by a vote of 93 to 86 to replace Molly Chapman, who did not seek reelection.

**St. Albans:** Voters elected Gregory Crump over incumbent Emillie Lemire. The vote was 50 to 37. Crump is an officer in the St. Albans Fire Department, as well as a member of the cemetery committee.

**Stonington:** In a three-way race for two select board seats, chairman John Robbins collected 86 votes, followed by former selectperson Donna Brewer with 81. Brewer replaces John Steed, who received 69 votes.

**Strong:** Newcomers Joel Doyon and David Catino ran unopposed to fill the seats held by selectmen Richard Worthley and Gerald Pond, Jr. Neither ran for reelection. Doyon received 91 votes, and Catino collected 84 votes.

**Unity:** Antonio Avila defeated incumbent Penny Picard Sampson by a vote of 184 to 103 to win a three-year term.

**Washington:** Newcomer Katherine Grinnell unseated incumbent selectperson Tom Johnson by a vote of 92 to 50.

**Weld:** Lisa Miller received 47 out of 48 votes to replace Brian Hayes on the select board. Hayes did not seek re-election.

**West Gardiner:** In the three-way race for a seat on the select board, Gary Hickey, II earned 434 votes, defeating incumbent Steve McGee, who had 285 votes, and fellow challenger Erin Small, who received 40 votes.

**West Paris:** Just two years after retiring as town manager, Wade Rainey edged out two opponents in a ranked-choice election to win the seat held by retiring selectman Dale Piirainen. On the third ballot, Rainey won more than 50 percent of the vote to win. He defeated his closet opponent by a vote of 36 to 35.

**Woodstock:** Robert McQueeney ran unopposed to take the seat of Shawn Coffin, who stepped down after two terms. 🏔️



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## Future Leaders: MMA Essay Contest Winners Announced

As part of MMA's citizen education campaign, each fall the Association invites seventh grade teachers to encourage students to participate in the "If I Led My Community..." essay contest. The contest provides middle school students with a platform for describing the investments they would make in their communities if elected to office and to potentially spark interest in a future in local government service.

MMA is pleased to announce and congratulate the 2023 contest winners, Asa Alley-Nebblett, Surry Elementary School; Maia Andrews, Lincolnville Central School; and Rebecca Morgan, St. Bridgid School, whose essays are published in the following pages.

The essay winners were selected by three MMA employees, who also volunteer at the local level, including Nicholas Kimball, Randolph volunteer firefighter; Rebecca Lambert, RSU #38 school board member; and Valarie Pomerleau, former Readfield selectboard member.

Special thanks to Carol Weigelt, MMA's Web Publishing Technician, for overseeing the event, teachers across Maine for encouraging their students to participate in the contest, and the students for submitting insightful essays.



**Asa Alley-Nebblett**  
**Mrs. Ericksen-Buss, Surry Elementary School**

If I led my community of Surry, the first thing I would work on is securing funding for rebuilding the school. I would try to do it over summer break so that people don't miss school. The school currently has mold. In addition, the school has PFAS in the water which may cause health problems. The ceiling of the school was falling apart. I have seen huge missing sections of the ceiling. There were water leaks in several areas to the point where there were trash cans and buckets in random places of the hallway making the school a labyrinth of trash, mold and buckets. The school has two yurts which were supposed to be temporary, however, the yurts are hot all times of the year. The school should also have more room and more substitutes for the teachers. I would add a track for the cross-country team.

The second thing I would like to do is coordinate with the town of Blue Hill to create a police station for both towns to share. This would make it easy for the police to arrive quickly.

The third thing I would do is try to attract more businesses to locate here because if the town had more money we could fund the other ideas such as rebuilding the school and the police station. Some of my ideas I had for the businesses to attract would be a gas station (since there are none in Surry) and I would want to entice someone to build a hotel for tourists and more restaurants and maybe a grocery store.

The fourth thing I would like to do is make trails for hiking, ATVs and snowmobiles. This would encourage more locals and tourists to visit those trails, which would obviously add to the village's revenue. I would encourage Surry to create more parks and skate parks, basketball courts and fields for the same reason as the trails. I'd like to work with the residents here to attract builders to make more single and multi-family houses. We have a beautiful community here that many people would love to live in, if we had enough housing for them. Finally, I'd work with the community to improve the roads, which continue to need work.

To conclude, if I led my community, I would work with everyone here in Surry to improve our way of life to make it healthier, happier and more fun!



**Maia Andrews**  
**Sarah Michaud, Lincolnville Central School**

If I led my community, I would be sure to improve the system for waste disposal. According to Maine Public, Maine generates more than 200,000 tons of food waste each year. Additionally, a study from Keep America Beautiful on the amount of litter found in America during 2020 concluded that there were 27.3 billion items of litter found on the sides of roadways (2,857 items per mile) and 25.9 billion items found along waterways (2,411 items per mile). As you can see, our current waste disposal system is not efficient. However, there are many ways it can be improved.

Litter is an environmental problem; it poses a health and safety risk to animals in our environment on land and water. Litter is a result of people not disposing of their waste properly. I would limit the amount of litter in my community by adding more trash and recycling bins around my community. A study from Keep America Beautiful shows that U.S. residents have seen people litter more when there is no trash or recycling bin nearby. I would also lead more community trash pickups to eliminate the current litter in our community. These pickups would provide a great way for students to be involved in improving and maintaining the community they live in.

A lot of food in the community is not being consumed; this creates food waste. The problem is that this uneaten food is thrown in the trash and taken to the landfill. To address the problem of food waste in the community, I would start composting all of the food waste from the school. I would also encourage the households in our community to start composting, too. Composting is a great way to help with food waste and grow more healthy food for the community. Another way to limit the amount of food going to waste in our community is the chicken experiment happening in Belgium. In a city in Belgium, the government went out and offered free chickens to any family that wanted them. With a limit of three chickens per family, over two thousand families in Belgium took the offer and got three chickens for free. Chickens are a great alternative to throwing away food waste. They eat the remaining food scraps from the family, and then lay fresh eggs for the family, providing more food.

In conclusion, waste disposal is a big problem in communities around the country, and in my community in Maine. If I led my community, I would address this issue with frequent trash pickups, composting, and the use of chickens.



**Rebecca Morgan**  
**Mrs. Natalie Haskell, St. Brigid School**

If I led my community, I would try to make a better, more safe place, for everyone. I would enforce recycling and littering laws that would raise awareness about pollution, climate change, and would help save many animals and sea creatures' lives. I would work with local officials to resolve the right way to spend money. With them I would discuss what laws could and should be made. Finally, I would set goals and achievements to help make my community a better place and to encourage a better future.

To get rid of waste, and to improve welfare, I would establish laws to abolish littering. I would reinforce recycling laws which would reduce waste and junkyard capacity. Doing this would save sea creatures and other animals from being injured and dying, while decreasing pollution in the ocean and in the community. I could also put trash and recycling bins out near businesses to discourage littering. The impact that this would make from then on and into the future would make the fact of climate change and pollution more defined and pronounced. It would show what would happen if these things got deeper into the society.

Sometimes money can be spent on the wrong things at the wrong times, so I would work with officials to decipher what is beneficial to spend our community's money on. I would spend money on promoting local businesses, restaurants, shops, and more! I would encourage city officials to spend taxpayer dollars promoting local businesses instead of national chains like McDonalds, Dunkin', and Starbucks. Spending money on the right things can lead to a better lifestyle, and a healthier, safer community.

I would set goals for the people in my society to do what is right, and what will be prosperous for them. It is important to me, and I would feel a responsibility to have as many people as possible have homes. My goal would be to lower housing tax to give people more chances to keep their homes, and more people to be able to buy them. Goals I would set for the people would consist of finding jobs they love, taking care of themselves and others, always making time for family, and, of course, to be kind. If everyone contributed to following these goals, it would result in a happier, more stable society.

I would keep everything local, charming, and enjoyable for all those who live there. I would want everyone to be happy, healthy, and proud to be a part of their locality. I would want people to follow my lead and accept that things may need to change and that together we could fix any problem. My hope, if I was in charge of my society, would be to help stop pollution and littering, to spend money on helping and encouraging local businesses, and to set positive goals for myself and for the people around me. I would accomplish all this and more if I were to lead my community.



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# Maine's Homelessness Crisis

Despite a soaring housing market, lack of housing inventory and siloed responses to Maine's homelessness crises, Maine communities are stepping up to the plate to provide needed services.

By Janine Pineo

On June 1, a person in Bangor got a place to live.

In and of itself, people moving into a house or rental is an everyday occurrence. But for someone who has been unhoused for two years and resistant to working with anyone to change the situation, it was a significant day for that individual and the staff of the city department who had been there through those two years, consistently offering help and being told no again and again.

There will be lots of nos, said Rebecca Kirk, Bangor's community services manager. Her staff has to be consistent asking and showing up – doing what they say they will do.

"You have to be there for the yes," she said.

For this individual, the yes came when they happened to "really click" with a new person in the office.

Kirk's staff is comprised of four human services workers of the newly launched Bangor Community Action Team, the General Assistance caseworkers, the unsheltered caseworker, the Shelter Plus Care staffer, as well as a receptionist who helps clients navigate those first encounters.

"For us, there's a lot of positive energy," Kirk said. "We celebrate little victories."

The number of people who are unhoused in Maine is at unheard-of levels in the state's service centers, with Portland at the top as it shelters more than 1,000 week after week, even as the city opened a \$24 million, 208-bed Homeless Services Center in late March. Farther north in Bangor, the city has more than 200 people who are homeless. The crisis across the state comes as housing and rentals are not only sky-high in price but also scant in availability. Couple that with decreases in housing programs and support systems, rocketing inflation and the mushrooming cost of everything from food to utilities and add in the sudden upheaval from an unprecedented pandemic and its uncertainty.

"Why is anyone surprised there is a surge in homelessness?" asked Greg Marley, a licensed clinical social worker and the senior clinical director of suicide prevention at the



Bangor erected signs and placed boulders to block parking access along Valley Avenue where homeless encampments were recently dismantled. (Photo by Janine Pineo)

Maine chapter of the National Alliance on Mental Illness.

Marley said it is important to recognize the connections between the many factors that lead to homelessness, saying it stems from a trauma history. Some of it is mental illness and some is substance use, both of which rose during the pandemic and now seem to be coming back toward what has been considered the baseline average.

He pointed to the number of suicide deaths in 2021, which was 277, adding that the number was lower in 2022.

Overdose deaths in Maine are another telling factor. In 2019, 380 people died by overdose. The numbers have risen steadily every year, with 716 deaths last year.

Everyone is facing more and everyone is stressed, Marley said. "Things have gotten more rancorous."

How do municipalities grapple with the needs of several thousand individuals who require services, including those with substance abuse and those living with significant mental health diagnoses?

"We know that piecemeal, siloed responses by individual communities does not work," said Portland Mayor Kate Snyder in a March press release when the city's new facility opened. "We are at a critical juncture in which real, workable, systemic solutions are needed. Portland

About the Author: Janine Pineo is a freelance writer from Hudson and regular contributor to Maine Town & City, [jepineo@gmail.com](mailto:jepineo@gmail.com).

elected officials and city staff continue to seek assistance from our regional, state, and federal partners in order to address the homelessness crisis in our state.”

Marley said that regional collaborations are occurring as more is landing on the shoulders of municipal employees as more people find themselves in crises. Law enforcement is one piece of the pie, he said, along with community mental health programs, “bogged down” hospitals, case management and shelters.

“We’re not doing it siloed,” said Bangor’s Kirk, citing weekly meetings with other agencies.

### Augusta’s ‘microcosm’

The situation for the state’s capital as it rolled into this past winter was not as strained as elsewhere.

“Comparatively, we’re OK,” said Earl Kingsbury, community services director.

Well before cold weather set in late last summer, the city of 19,000 anticipated there would be need and approved an emergency warming center that would be open from November to April.

“We had a microcosm,” said Jared Mills, the city’s police chief.

Forty-seven used the center, Kingsbury said, and during those months, the city worked with agencies to find housing for 35 before the warming center closed at the end of April.

“All the credit in the world,” Kingsbury said, “to get those 35 people placed.”

The other 12 declined help and remain homeless, he said, adding that the hardest group to work with are those who are addicted or living with mental health diagnoses – sometimes both – because they aren’t ready and don’t trust the people or the system.

Kingsbury oversees the three employees in the city’s health and welfare department. “Those guys are rock stars in that department,” he said, describing the work as “mentally, probably physically, draining.”

“It breaks their heart when they can’t help,” he said.

The toll it takes isn’t just on his department, he said, but also the police officers, firefighters and paramedics.

Kingsbury and Mills both pointed to the Employee Assistance Program if staff need help. Mills added that his department has a peer support program and is hoping to add a daily mental health support program in July if the budget is approved.

“We’re really trying to make sure we’re taking care of our folks,” Mills said.

The police chief spoke of the “new normal” approach that the city is striving for as they use the state’s homeless protocol. “It’s not about arresting and throwing in jail,” he said.

In a May 2022 memorandum, Mills described the crux of the protocol: “Citing or arresting homeless persons for these low-level or quality of life infractions or life-sustaining activities are emotionally and physically traumatizing, as well as disruptive to progress toward ending homelessness. Public order may be best served through the promotion of referrals to available services, even when services have been previously declined.”

The memorandum goes on to detail how to provide assistance and set the wheels in motion for each individual.

Sleeping in a doorway is not necessarily a crime, Mills said, and just because people don’t like how something looks doesn’t mean jail is the answer. The goal is to de-escalate and discuss, find an alternative and not overreact. The outcome is better, he said.

State law requires departments to have at least 20 per-

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cent of staff trained in either mental health first aid, an eight-hour course, or CIT, the Crisis Intervention Team program from NAMI Maine that requires an initial 40 hours and then continued training and support.

Augusta strives to be 100 percent trained, Mills said, but right now is about 75 to 80 percent compliant.

The CIT goal is clear: "Law enforcement takes on a supportive role to the mental health system by connecting individuals to community resources, reducing injuries and trauma to individuals experiencing a crisis, while diverting them from the criminal justice system," according to the organization's website.

"Look at the need of the individual," NAMI Maine's Marley said.

A number of municipalities participate in CIT, but far from all.

"We need more law enforcement agencies fully engaged in it," Marley said.

### Bangor's struggle

Sgt. Jason McAmbley remembers that when he first started in Bangor, there was only one man who, year after year, met the definition of homeless in the city.

That was back in the 1990s.

Right now, Bangor has about 220 who meet that definition.

"Bangor is struggling," the police department's public information officer said.

But the city is making strides in changing how it handles not only homeless encampments but interactions with people with mental health diagnoses. The city is a CIT participant, and this year started the Bangor Community Action Team (BCAT). The BCAT program is designed to

offer a non-police response for calls that require a level of social service help.

McAmbley said the department receives a "ridiculous" number of calls that don't require a police presence. "We're not social workers," he said. "We're not equipped for this."

BCAT is. "We're getting there with the team," McAmbley said. If it continues to go well, he anticipates an expansion of the team.

The city also reached a milestone in April when it closed the well-known Valley Avenue homeless encampments along the Kenduskeag Stream.

Last year, a Department of Housing and Urban Development Technical Assistance team started work with Bangor and state and local agencies to address how to manage encampments, creating a plan that included finding housing for each individual in an encampment.


The city put this into practice in April when it announced it was ready to close the Valley Avenue encampments. An April 4 press release from City Manager Debbie Laurie said the planning involved more than 40 individuals from more than 10 state and local agencies.

Kirk said the city is focused on building relationships with organizations that provide services because no municipality can do the work by itself. "Nor should it," she said.

Kirk is proud of the work her staff has done these last few months. "General Assistance has prevented a massive amount of evictions," she said.

Everyone deserves respect as they "work from crisis to stability," she said, but you cannot force people to accept help.

"We care about our community members, all of them," Kirk said. 🏡



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# Bowman: Progress comes with teamwork and kindness.

By Liz Mockler

Ella Bowman credits hard work and teamwork for the many successes the Town of Oakland has enjoyed during her tenure as town manager. Recently recognized for her leadership in the mid-Maine region, Bowman said none of the projects would have been finished without the help of everyone.

She said being kind to people is “a part of who I am” and she strives for a happy, friendly workplace for staff and the public.

In April, Bowman received the 2022 Municipal Employee of the Year award from the Mid-Maine Chamber of Commerce for outstanding leadership and “supporting the positive direction of (her) municipality and who goes above expectations to have an impact on the community.”

“She’s just done a lot to move Oakland forward,” said Kimberly Lindlof, president and CEO of the Mid-Maine chamber. Lindlof could list all the improvements in town, down to all the flowers planted around the town in public places.

Several new businesses chose Oakland for many reasons, but the town boasts the lowest property tax rate in the area, making it more than welcoming, Lindlof said.

Bowman’s impact is easy to see around town. A new fire station. A new police station. A TIF district. The popular Oakfest. A gazebo for the summer music series. A new park. A key factor in gaining public support and making progress is to find revenue other than property taxes to pay for them, Bowman said.

The cost coming in lower than budgeted doesn’t hurt, either.

Bowman said she was surprised by the award and wanted to share the recognition with her staff.

I was shocked,” Bowman said. “I’ve never been recognized for anything.”



Ella Bowman

She said while she watches over projects, it’s the staff that makes them happen. “That was the shocking piece to me, that I would be recognized for something my staff (completed).”

Bowman said she doesn’t spend much time thinking about the work just done. She wants to move on to the next project.

In a recent email exchange, Bowman discussed the ways she’s found to be a successful manager and her belief that treating the public with

kindness and patience are obligations not options.

## Q What is your general philosophy on managing local government?

My philosophy on managing local government truly doesn’t differ much from my philosophy of life in general. I try hard to be kind, practice integrity, work hard, don’t micromanage, and I’m an agent for change.

Being kind to those who I work with, work for, and the public I serve is an important piece of who I am. I believe that I’m generally a kind person. Sometimes this can be difficult because not everyone is kind to me. I have been yelled at more as a town manager than when I worked as a police officer. I pride myself on being a public servant and I’ve signed on for a difficult and challenging work life. As we all know, the wrath of public opinion can be brutal at times and when this happens, I do everything in my power to keep smiling.

Honesty and integrity set the standard within our profession, and I try very hard to maintain this trait. As time marches on, I’ve learned that there are times, as with any high-level job, where it may not be possible to be completely upfront due to various reasons such as legal issues, employee issues, and other sensitive topics. If we are not honest with the public or our staff, we will never gain back their trust. At that point, it’s time to move on. I’ve always said, my credibility is all I have in my work life. Once I jeopardize that, I’m done.

About the Author: Liz Mockler is a freelance writer from Newport and regular contributor to *Maine Town & City*, [lizmockler@hotmail.com](mailto:lizmockler@hotmail.com).

Over time, I've come to realize our jobs are hard and can be extraordinarily difficult. We have more cogs in our wheel than most, and many of us are actually sick enough to say we like it. We're also the tip of the spear within the communities we lead. Our suggestions and recommendations to our boards and the public we serve can be critical when developing a plan to bring change within a community. Hard work, long range planning, and strategy are my secret weapons. I sometimes plan three years ahead for a project. I most likely spend more time in my office, and at home, thinking about how to accomplish a plan or project than most. I typically always have two to three large projects on deck.

Change is very difficult for people, especially for people who have done it their way for many years. They become comfortable with their day-to-day and month-to-month-routines. They can become threatened with the thought of new ideas and different ways of doing things. This can present a problem for new managers who may want to see growth within certain departments. Our world is in constant change and if we are not willing to keep up with it, then we're doing a disservice to those who live within our communities and reducing the overall value of municipal government. I am an agent for change and proudly, I've brought many healthy changes to the Town of Oakland due to changing and challenging the way we do business on several different fronts.

**Q** What principles guide your day-to-day work?

My core work principles are confidence, dependability, promoting strong leadership from within, being happy, and treating others the way I want to be treated. Human interaction is such an important part of what we do as town managers. Not everyone will like us, but to be suc-

cessful as a town manager, most of our citizens and our council or select board need to believe in us. When our people believe and trust us, we can move mountains. Our staff is also critical for a successful tenure. We can't do it alone and if we don't have internal support, we're not going to be successful with any large plans.

**Q** You joined the town as a police officer and worked 15 years for the department. How did you get from there to the town manager's office?

I've always been a 10-year career person. I seem to get bored with my selected career path after that period. For me, what happens is when I've learned all the nuances of a career, I'm satisfied, and I start looking for something new. I'm sure that there's a case study here.

I started out with a career in the forestry and the lumber industry, where I worked for a large lumber company in Vermont. After about 8 years, I decided to move back home. I found a grocery store for sale in Fairfield and bought it. I operated the store from 1988 to 1998. I became bored with it and sold it. I then spun the dial, and it landed on law enforcement.

At 39 years old, I was hired by the Town of Oakland in 1999 as a police officer. Prior to this move, I had always worked in management positions and felt that I would be happy just being responsible for myself. After about 10 years of working as an Oakland police officer, I started to look around for a leadership position again, but couldn't find anything interesting.

In 2014, Peter Neilson announced his retirement as Oakland's town manager, and I threw my resume into the ring and was hired as Oakland's next town manager. During my interview for the position, I think my biggest selling point was that I had worked for 15 years in Oak-

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land and was able to articulate that I had developed strong relationships with local business owners and solid working relationships with Oakland employees.

I remember telling my (town) council at the time that I may not know how to drive the ship, but I had the keys to start the engine. By knowing all the department heads, I didn't have to spend my time getting to know them as a new manager would, and I could spend my time learning what this position was all about. I told the council that the staff would hold me up until I figured the job out. I also shared my ideas for how I'd like to move Oakland forward if they gave me an opportunity. I agreed to a one-year contract to start so that I could prove myself. It was certainly a risky move on my part, but I was confident that I could make some great changes in Oakland. The pressure was on to produce. The rest is history and over the past nine years, we have literally changed the face of Oakland.

**Q You won the employee of the year award in part for your service and leadership in supporting business. What is your advice for other managers who want to do the same?**

As managers and community leaders, we're in a unique position to effect change within our communities. I've always been someone who likes to do projects. I find that I really enjoy the challenge and teamwork that comes from large undertakings.

Step back and look at your community and determine

what needs to be done. I believe that it's critical for us to craft ways to complete projects without increasing property taxes. I feel this has been the key to my success. You'll need to bring your council and public behind you. You'll need to develop a team of citizens who are engaged and support your plan, you'll need to be willing to listen to other ideas, and you'll need a capable staff.

I am fortunate - I have a very capable public works director, buildings and ground director and engineer. These people have been the foundation of our success. Another important criterion is that public opinion of the town needs to be positive.

**Q You have accomplished many goals in nine years as manager. How has your staff contributed to making things happen?**

Quite honestly, we could not have completed any of our projects without them. Our deputy town clerk oversees Oakfest, our parks and recreation director oversees the summer music series, our public works director and his department have completed all the site work for our police and fire station projects, and the site work for the town's new gazebo and overlook park.


Our buildings and grounds director was responsible for much of the finish work within our new public service buildings. Our town's engineer designed all the site plans for every project that was completed. Oakland's team have been critical with our ability to bring every project in under cost, and thus have helped create a

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path forward to build these projects without increasing property taxes.

**Q What are some of your favorite projects?**

My favorite projects have been building a new police station and fire station. The town of Oakland has tried this before, but the public would not support it. We developed a different approach with a different team. We also crafted a path forward without increasing property taxes. The public supported the police station first. Construction came in under budget and under time. This helped us build public trust and we were able to move forward with phase II on our municipal campus which was the Fire Station.

**Q What was the most difficult project to finish?**

I don't think any of my projects were all that difficult. If I were to pick one, it would be the town's comprehensive plan. This turned into a three-year project due to COVID. But I still enjoyed it.

**Q What is still undone?**

Phase III of our new municipal campus which is the replacement of our town office. Covid stepped in my way, causing the cost of building materials and labor

to make the project unaffordable. I promised the public that I could build this new municipal campus without increasing taxes. With the higher costs, I would not have been able to keep my word, so we paused it until things settled down.

At this point in time, I have a clear path forward to build a new town office without increasing the town's property taxes. I'll be firing up this phase III soon.

**Q What is your next big goal?**

At this time, I have three goals in front of me. I'm knee deep in a historical redevelopment of Memorial Hall, I need to build a new town office, and I need to fix our Main Street. We have a newly-minted downtown TIF district that I feel will be the key to start the economic engine to our downtown.

Remember, as town managers, public servants, and community leaders we are in the people business. People come in different shapes and sizes, people come in different colors, they come with different political and religious beliefs, and they come in different ages, sexual orientations, and gender identities. It is our duty to treat everyone within our town, cities and regions with the same respect and thoughtful understanding as we would our own family. The honor of being a public servant is a calling, nothing more or nothing less. 🇺🇸

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# Douglas M. Eugley Memorial Scholarship for Public Service

MMA announces the 2023 winners.

By Rebecca Lambert, Municipal Issues Specialist



The Maine Municipal Association is committed to assisting members as they confront the current workforce challenges and, until now has employed two programs to aid in the promotion of local government service and citizen education: the 7<sup>th</sup> Grade Essay Contest and the MMA Summer Municipal Intern Grant program, administered in partnership with the Margaret Chase Smith Policy Center's Maine Government Summer Internship Program.

To bridge the gap, this year MMA's Executive Committee supported funding for a program aimed at high school students. In 2023, MMA implemented the Douglas M. Eugley Memorial Scholarship for Public Service program, which provides three \$1,000 scholarships to high school seniors to enhance and support workforce development within public service professions and municipal government and to encourage future leaders within our communities.

Douglas M. Eugley was employed by MMA for 15 years in the finance department as a senior accountant, before he was unfortunately diagnosed with cancer in 2020 and succumbed to his illness quickly thereafter.

In life, Doug gave back to his community by serving on the Sidney select board for approximately 14 years. After his time on the select board, he filled the role of town moderator and served on the appeals board, budget committee, in addition to various other roles. Doug was also very involved with his children's lives, including coaching youth sports. Not only were his own children part of his team, but each player became a member of the family. He loved working with all of them and being part of the fabric of his community.

When Doug was diagnosed with his illness, he wrote his own obituary where his wit and humor were at the forefront. These characteristics kept coworkers, members, friends, and family laughing—his presence is greatly missed. Doug was passionate about education, and we believe he would be honored to have MMA promote a scholarship in his name.

Several applications were received and six were identified as having met all the criteria for consideration. A selection committee consisting of three MMA Executive Committee members and two MMA staff members who rated the six applications based on creativity, chosen major, and their commitment to public service.

MMA appreciates all the seniors who submitted an application and are pleased to announce the first three recipients of this memorial scholarship.



## ZACHARY WHITE

Zachary White will graduate from Skowhegan Area High School this year and plans to attend Thomas College in Waterville with a focus on criminal justice. Zachary is a member of the National Honor Society, the boy scouts and is the vice president for the Jobs for Maine Graduates program. A teacher from his high school recommended Zachary for this scholarship, sharing in the letter that he is intuitive, driven, respectful, compassionate and a natural leader—always looking for opportunities to help others.

Among extracurricular activities that have included track, cross country, and volunteering his time for the Special Olympics, Zachary also sought out the opportunity to do a ride-along with the Skowhegan police chief, to further expose himself to the criminal justice field. He consistently seeks out service and growth opportunities. On his own, he attended and is now a graduate of the Maine State Police Junior Trooper Academy, ready to further his education and fulfill his duty to public service.

MMA wishes Zachary the best of luck and knows he will be an asset to Maine's law enforcement community.



### MARY-HOLLIE WHITMORE

Mary-Hollie Whitmore, more commonly known as “Hollie,” is graduating from Orono High School and planning to attend Eastern Maine Community College for Fire Science Technology. Hollie has been working for the

Milford Fire Department for the past few years in the Junior Firefighter program and hopes to ultimately work in the fire investigation field.

During her time with the Milford department, she has proven to be an asset as evidenced by her promotion to sergeant within the program, a position that manages two corporals with three junior firefighters reporting to the corporals. To obtain this role, Hollie was required to pass a practical and written exam as well as pass an oral board review. Additionally, Hollie has taken the initiative to earn her Basic Emergency Medical Technician license.

Lieutenant Dustin Woods of the Milford Fire Department stated that Hollie has exceeded the expectations of a Junior Firefighter and continually assists others to reach their goals while excelling academically, in extra-curricular activities, and with her own work life balance.

MMA is pleased to present this scholarship to a very deserving candidate. Best of luck, Hollie.



### CAROLYNE SAUDA

Carolyn Sauda will be a Bangor High School graduate in 2023 and is planning to attend Bowdoin College in Brunswick to study English or environmental studies. Carolyn is an intelligent, diverse individual who possesses a pas-

sion for learning and creativity. Her activities are eclectic and include several leadership opportunities such as the Maine Youth Wilderness Program at Baxter State Park, a summer program at the Cohen Institute for Leadership and Public Service, and the Chick-Fil-A Leader Academy.

Carolyn has been involved in several community volunteer roles as an election poll volunteer and is currently working on a humanities capstone senior project studying food systems and their impact on culture, environment, economy, and health in the United States. She is a talented musician having learned to play the cello and also took the initiative to learn the basics of the Turkish language and culture to better prepare herself for her role as a virtual participant in the National Security Language Initiative for Youth.

James Tager, Bangor Superintendent of Schools, noted that Carolyn is a “brilliant continual learner, and is a person of high integrity who possesses a wonderful spirit of humility.”

MMA wishes you tremendous success in your future endeavors. 🏔️



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# Passion, Commitment & Service

Honoring Ivan McPike's local government service.

By Catherine Conlow, MMA Executive Director



It is with great sadness that I write of the sudden passing of Hampden Council Chair and MMA Executive Committee member, Ivan McPike. When I ask those who knew Ivan how to define his legacy, the answer is always family, service, and community; a commitment he shared with Sue, his wife of 50 years, and their son, Ryan.

Born in Calais, Ivan spent most of his life in Hampden. His deeply held commitment to public service started after high school when he enrolled in the U.S. Navy during the Vietnam conflict. Following Vietnam, Ivan returned to his hometown, where he continued to serve his community through participation on various boards and committees in Hampden and the Bangor region.

This month's edition of Town & City magazine focuses on youth engagement in local government. A fitting homage to Ivan, as his community service included an unwavering dedication

to youth. Ivan spent 10 years on the RSU 22 (Hampden) school board and served on the Maine Community College Board. As a member of the MMA Executive Committee, Ivan was an avid supporter of grants, scholarships, internships, and other activities directed towards at-

tracting and retaining young people in local government.

Ivan had some important qualities that made him an exceptional public servant. He was passionate about his community and at times was relentless in pursuing the best for his hometown. Ivan wasn't afraid to "dig in" and do the work. Equally important, Ivan was quick to lighten a mood with his sense of humor and wit.

As you read the magazine, please consider engagement with youth as an imperative for all local government officials. In addition to ensuring a future workforce of committed public servants, you honor the life and legacy of Ivan and others who have committed to public service.

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# Disposing Biosolids

As the cost of disposing of sewage sludge increases, impacted parties are scrambling to adopt and implement short-term and long-term solutions.

By Betty Adams

Trucking tons of biosolids – sewage sludge – from the state-owned, privately operated landfill in Old Town hundreds of miles north to New Brunswick, Canada, for disposal during the past few months has added costs for municipalities and ratepayers across Maine. Then there are the other considerations as well, including the environmental footprint, the time, etc.

Recognizing that continuing this lengthy trip is unsustainable, Maine legislators, landfill operators and leaders at wastewater treatment plants in the state are working toward short-term and long-term solutions.

Disposal problems and the rising costs emerged when two new laws went into effect last year. LD 1911 banned the spreading of composted sludge on fields – one of the primary means of disposal within the state – because of potential contamination from per- and polyfluoroalkyl substances (PFAS), also known as “forever chemicals.” LD 1639 banned acceptance of out-of-state construction and demolition debris, material that Juniper Ridge Landfill uses to mix with the biosolids to stabilize the landfill.

While Maine produces its own construction debris, landfill operator Casella says not enough is available in the short-term.

Winslow’s Town Council, for instance, learned in April that the Kennebec Sanitary Treatment District fees for biosolids would cost the town an estimated \$56,000.

“In an already tough budget year this certainly wasn’t welcome news,” said Town Manager Erica LaCroix in an email. “Prior to this additional cost our waste disposal was already up about \$7,000. This brings the increase up to approximately 18% over last year.”

She estimated that almost 90 percent of households in Winslow are on the public sewer system and that the average residential customer would see an increase of \$95 per year on the sewer bill.

“Because these charges hit the sewer fund, which is solely supported by sewer fees, it did not impact our tax rate,” she said. “But we did have to raise the sewer rate by 25% to keep up with rising costs and to address significant capital projects that are starting this year.”

Matters came to a head in the state on February 23, when the general manager of Juniper Ridge Landfill decided the facility could no longer accept municipal wastewater treatment sludge. In a letter to a legislative committee, General Manager Wayne Boyd noted that the part of the decision was based on the amount of sludge received on February 22, and the anticipated reduction of material waste to mix with the sludge, as well as equipment operators having difficulty maneuvering heavy equipment. “For the first time in my 40-year career, I dug up material from another part of the landfill in order to stabilize the sludge that was received, an incredibly unusual measure,” he said. The landfill began accepting municipal wastewater treatment plant sludge again beginning February 27.

State Rep. William Bridgeo, D-Augusta, who retired in 2021 after almost 24 years as Augusta city manager, including several years as one of three commissioners on what was then known as the Augusta Sanitary District, now sits on the Legislature’s Environment and Natural Resources Committee which worked to craft a solution to the dilemma.

“One of the interesting lessons I’ve learned over the last six months as a freshman legislator is that legislators everywhere need to beware of the law of unintended



Tractor-trailer at a Portland Water District facility carrying sludge to the Juniper Ridge Landfill in Old Town. (Submitted photo)

Betty Adams is a freelance writer from Augusta and regular contributor to *Maine Town & City*, [adamsbetty00@gmail.com](mailto:adamsbetty00@gmail.com).

consequences,” he said, noting that while the two new laws were designed to protect Maine’s environment, the effect was to create a problem with disposing of sludge.

“That material is a byproduct of every sanitary system that operates in Maine, and as it accumulates, if you don’t have any place to legally dispose of it, then it’s going to back up and at some point, the hardworking wastewater treatment plant folks, whether they’re a district or a municipality, will have no choice but to divert raw sewage to whatever water body their outflow goes to, typically a river or a stream or the ocean, because what else are you going to do?”

In early May, he talked about the proposed LD 718, “An Act to Increase the Beneficial Reuse of Construction and Demolition Debris,” a bill supported by the Department of Environmental Protection and a number of other entities, including municipalities and treatment districts, which would ease restrictions on importing out of state bulky waste to landfills.

“The chairs and the committee are doing a great job crafting a resolution to this immediate problem, and it hasn’t been finalized yet, but it looks like it will be an easing up of the importation restrictions for a while, whilst a more permanent solution to the disposal of sludge evolves,” Bridgeo said. He noted, “Maine is certainly a leader in recognizing the dangers of PFAS, but there are

still any number of states that are still allowing it to be land-spread.”

Winslow’s LaCroix, also talked of unintended consequences of legislation: “Even if the environmental goals of LD 1693 come to fruition, they are diluted by the excess carbon footprint involved with finding other locations further away to dispose of these biosolids. And those solutions are temporary as most other states and Canadian provinces will start to close their borders once they become inundated. And to be frank, the municipalities cannot afford to take on the cost of this on their own. Our taxpayers are already being asked to pick up the costs of rampant inflation and wage hikes across all government services. This comes down to another battle between what is good for the environment and what we can actually afford to do.”

In written testimony May 8 supporting LD 718 as amended, which delays implementation of LD 1639 provisions, James Cote, representing ReSource Waste Services of Lewiston, LLC, said, it “would permit ReSource Waste Lewiston to increase the volume of sludge-bulking material that it is able to send to Juniper Ridge in order to meet the significantly increased need created by the prohibition on the land application of sludge.” The Lewiston facility accepts “solid, non-hazardous construction and demolition materials” and recovers components and makes



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Scott Firmin



Dale Clark



Erica LaCroix

reusable commodities. “LD 718 as amended provides an opportunity for the State to be able to effectively and efficiently tackle this real-time sludge disposal issue in the next two years and to evaluate the best way to navigate thereafter.” He also urged “the elimination or delay of the recycling targets for years 2024, 2025 and 2026 . . . an imperative component of any successful solution,” according to its website.

At the same hearing, Nick Champagne, superintendent of the Waterville-based Kennebec Sanitary Treatment District, said, “The latest rate increase from Casella due to LD 1639 was unbudgeted and is projected to increase expenditures by \$500,000 or about 10% of the District’s budget. We had just passed our new calendar year budget when this situation surfaced.” He told the committee members, “If LD 718 were not to pass, we will be forced to dip into our reserve account normally used for capital equipment replacement to offset costs of the rate increase. Time would afford us the ability to limit this impact and budget appropriately for a rate increase as it comes down the line.”

The Kennebec Sanitary Treatment District serves Benton, Fairfield, Oakland, Vassalboro, Waterville, and Winslow.

Brian Oliver, vice president of Casella’s Eastern Region, told the committee that allowing more oversize bulky waste would permit Juniper Ridge Landfill to accept more wet waste. He also told the committee that if the bill passes, the surcharge on municipal treatment facilities resulting from LD 1639 would be eliminated.

Scott Firmin, director of wastewater services for the Portland Water District (PWD) testified also in support of LD 718, noting that Juniper Ridge Landfill “is essentially the only outlet for the overwhelming majority of Maine’s biosolids.”

He described the consequences related to LD 1639’s provisions: “In March 2023, 100% of the biosolids generated at PWD’s Westbrook Wastewater Treatment Facility and 81% of biosolids generated at PWD’s East End Wastewater Treatment Facility (the largest municipal wastewater treatment facility in Maine) were sent to New Brunswick. For reference, that’s 2,054 wet tons hauled in 73 tractor

trailer trucks. This is expensive and unsustainable.”

The Portland Water District has four treatment plants and provides wastewater treatment to Cape Elizabeth, Gorham, Peaks Island, Portland, Westbrook, and a small section of Windham.

In late May, the district was sending 16 tractor-trailers, each carrying 30-yard containers, per week from its treatment facilities to Juniper Ridge Landfill for transport to Canada. Firmin gave details about plans to lower that number by reducing the volume of sludge in a series of steps that could eventually result in destruction of PFAS from the biosolids. “If there were no PFAS, ultimately it would be easier to manage,” he said. The Portland Water District is working on this project with environmental consulting firm Brown and Caldwell.

The first step is to extract as much water as possible from the biosolids which are currently 20% solids and 80% percent water. “We want to improve our dewatering system so that it can remove a little bit more water. So we would go from 20% solids to 26% solids. And we think that that would get us from 16 trucks a week to about 13 trucks a week,” he said.

The next step is to use sludge dryers, a thermal processing system which would result in 80% solids. However, that is more expensive and might necessitate an off-site facility which could also serve other treatment plants.

The final step involves producing dried sludge, but Firmin said that would require more understanding about PFAS emissions.

“Our challenges are becoming more costly and becoming more complex, and I think we’re going to need more people engaged in understanding just how complex waste management is and what goes into it,” he said. “I also think we need to figure out how to close this loop on PFAS. For instance, if PFAS go to our solid treatment facility, we should probably plan on taking care of what’s in the liquid as well.”

The Anson-Madison Sanitary District is currently piloting a program to treat PFAS in wastewater before the effluent is released into the Kennebec River. Dale Clark, the district’s general manager, said the project is to remove



Staff of the Anson-Madison Sanitary District: *From left to right:* Kristina Gossman, Jason Dixon, Peter Elias, Paul Lynch, Tim Quimby and Dale Clark

PFAS below drinking water standards. “Right now there are no requirements for wastewater treatment plants to remove PFAS from their effluent, but it’s the right thing to do.”

While this work began in late 2019-2020, it was slowed during the COVID-19 pandemic, and bolstered by \$1.6 million in federal funding in fiscal 2022 aimed at helping to design and install the PFAS treatment system there. Clark said about \$11 million in funding has been secured through various sources, which will go toward the foam

and ion exchange processes as well as upgrading the biological treatment system. The full system – with PFAS destruction – is estimated to cost about \$60 million. The district is working with ECT2 (Emerging Compounds Treatment Technologies) as well as Dirigo Engineering on the project.

“Drinking water is relatively easy to remove PFAS compounds from with activated carbon and ion exchange because the water already is very clean,” Clark said. “Wastewater is different because there are a lot of other compounds in the water.”

A biological filter treatment system has been in place since the beginning of this year to improve water quality in preparation for later processes, including ion exchange and foam fractionation. The latter introduces oxygen to the water to create bubbles to attract the PFAS compounds and forms a foam layer of concentrated PFAS which can then be removed.

Clark said the challenge involves concentrating the PFAS in the wastewater.

In the meantime, the facility – which is split by the Kennebec River and does primary treatment of wastewater in Madison and biological treatment in Anson – is currently doing dewatering for other treatment facilities.

The Anson-Madison Sanitary District provides sludge processing for Bingham, Hartland, Mechanic Falls, Norridgewock, Oxford, Richmond, and Wilton as well as for septage haulers in a 150-mile-plus radius. 🌲

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# TRAINING CALENDAR

Maine Municipal Association & Affiliates

## JUNE

6/21	Wed.	New Managers Workshop	Orono - University of Maine	MMA
6/22	Thurs.	MEGFOA Summer Training Workshop	Freeport - Hilton Garden Inn	MEGFOA
6/22	Thurs.	Municipal Human Resources & Management Conference	Orono - University of Maine	MMA
6/23	Fri.	<b>Municipal Technology &amp; Innovation Conf. - (CANCELLED)</b>	<b>Orono - University of Maine</b>	<b>MMA</b>
6/28	Wed.	MTCCA Notary Public	Zoom Webinar	MTCCA
6/29	Thurs.	MFCA Membership Meeting & Networking	Bar Harbor - Bar Harbor Club	MFCA

## JULY

7/11	Tues.	MLGHRA Spring Training - PTSD	Augusta - MMA	MLGHRA
7/12	Wed.	MTCCA Licensing Workshop	Augusta - MMA	MTCCA
7/13	Thurs.	MBOIA July Membership Meeting & Training	Augusta - MMA	MBOIA
7/18	Tues.	MMTCTA I've Got The Job - Now What? Workshop	Augusta - MMA	MMTCTA
7/19	Wed.	Elected Officials Workshop	East Millinocket Town Office	MMA
7/26	Wed.	MTCCA Municipal Law for Clerks	Augusta - MMA with Zoom Webinar	MTCCA

## AUGUST

8/2	Wed.	Understanding the Freedom of Access Act	Zoom Webinar	MMA
8/9-11	Wed.-Fri.	MTCMA 77th New England Management Institute	Carrabassett Valley - Sugarloaf Mountain	MTCMA
8/15	Tues.	Planning Board/Boards of Appeal	Presque Isle - The Northeastland Hotel	MMA
8/16 & 17	Wed. -Thurs.	MTCCA New Clerks Workshop	Day 1: Augusta - MMA (full day) Day 2: Zoom Webinar (half day)	MTCCA
8/17 - 18	Thur.-Fri.	MMTCTA Governmental Accounting	Orono - Black Bear Inn	MMTCTA
8/23	Wed.	Becoming an Empowered Leader of DEI (this 25-person max co-hort group will meet 4 times, on 8/23, 9/19, 10/18 and 11/13; those that register must commit to the full program).	Augusta - MMA	
8/30 & 8/31	Wed-Thurs.	Athenian Dialogue: Walking with the Wind	Zoom Meeting	MTCCA

## SEPTEMBER

TBD	Fri.	MCAPWA Golf Tournament	Cumberland - Val Halla	MCAPWA
9/6	Wed.	Elected Officials Workshop	Bar Harbor - Atlantic Oceanside Hotel	MMA
9/7	Thurs.	MMTCTA Payroll Law	Waterville - Elk's Lodge	MMTCTA
9/10-13	Sun.-Wed.	NEGFOA 76th Annual Fall Conference	Rockport - Samoset Resort	MEGFOA
9/12	Tues.	MTCCA 28th Networking Day & Annual Business Meeting	Augusta Civic Center	MTCCA
9/13	Wed.	Mental Health First Aid	Augusta - Maine Municipal Association	MMA
9/14	Thurs.	Verbal Judo for the Contact Professional - 1 DAY	Bangor - Hilton Garden Inn	MMA
9/19	Tues.	Becoming an Empowered Leader of DEI (this 25-person max co-hort group will meet 4 times, on 8/23, 9/19, 10/18 and 11/13; those that register must commit to the full program).	Lewiston - TBA	MMA

**SEPTEMBER (continued)**

9/19	Tues.	MTCCA Title 21A - State Election Law	Presque Isle - Northern Maine Community College	MTCCA
9/19-9/21	Tues.-Fri	MCAPWA Supervisory Leadership in Public Works Program - Part II	Fairfield - MDOT Training Center	MCAPWA
9/21	Thurs.	MTCCA Title 21A - State Election Law	Augusta Civic Center	MTCCA
9/21	Thurs.	MBOIA September Membership Meeting & Training	Portland - Clarion Inn	MBOIA
9/22	Fri.	MWDA GA Basics	Augusta - MMA	MWDA
9/27-9/29	Wed-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO

**OCTOBER**

<b>10/4-5</b>	<b>Wed-Thurs.</b>	<b>87th Annual MMA Convention</b>	<b>Augusta Civic Center</b>	<b>MMA</b>
10/12	Thurs.	Planning Board/Boards of Appeal	Augusta - MMA	MMA
10/17-18	Tues.-Wed.	MCAPWA Supervisory Leadership in Public Works Program - Part I	Fairfield - MDOT Training Center	MCAPWA



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Eddie Benjamin

**Eduardo “Eddie” Benjamin** doesn’t plan to veer far off the goals of former beloved Police Chief **Christian “Chris” Greeley**, who died March 9 at the age of 60. Benjamin, the new chief, plans to continue Greeley’s commitment to community policing, as well as other projects Greeley started or continued. Benjamin will

continue the 25 Days of Kindness, a Christmas fundraiser dear to Greeley, who started the fund with his own money. Benjamin had worked with Greeley for nine years, having been recruited by the chief. He was a lieutenant before taking the top job. Benjamin, 43, is believed to be the first police chief of color in Maine, save for Native American police chiefs. Benjamin will wear Greeley’s badge.

**Brian Carlton** has resigned as emergency medical services director for the Town of Woolwich after six years. Carlton was scheduled to step down before July 1, when the town’s new fiscal year began. Carlton also served as ambulance director. He has offered to stay in the job to help with the transition to a new director.

**Barry DeLong**, who worked in Somerset County law enforcement for decades, died May 12 at the age of 74. An Aroostook County native, he spent his career in Somerset County first as a state trooper for 21 years until 1994 and then as sheriff for 20 years, ending in 2014.

Madawaska Police Chief **Ross DuBois** retired on April 8 after 34 years with the department, the last six as chief. In retirement, DuBois will run a restaurant with his wife in Madawaska. The acting chief will be Jamie Pelletier, a 22-year veteran with the department.



Bryan Kaenrath

The Waterville City Council named Saco city administrator **Bryan Kaenrath**, a former state legislator, city manager effective July 31. The council vote was unanimous. Kaenrath, 39, served in the Legislature from 2006 to 2014 on behalf of the cities of Portland and South Portland. A Maine summer resident

growing up, Kaenrath earned a bachelor’s degree in political science from the University of Maine. He served as town manager for three years in Gouldsboro and then two years as North Hampton, N.H., administrator before being hired in Saco in November 2019. He replaces **Stephen Daly**, who resigned in December.

**Capt. Brian Lajoie** has been promoted to Caribou fire and ambulance chief, replacing **Scott Susi**, who was hired in April to lead the Sanford Police Department. Lajoie, a captain since 2016, started as a paid volunteer for the Caribou department and joined the team as a full-time firefighter in 1995.

**Vicki Page** has been hired as Woodland administrative assistant, tax collector and treasurer, while **Bridget Coats** is the northern Maine town’s new town clerk. Page worked for Loring Job Corps in Limestone before taking the municipal job last month. She previously worked as clerk, tax collector, treasurer, and interim town manager of Limestone. Coats, a former bank teller, worked for the Town of Van Buren as a bookkeeper, supervisor of the front office and deputy clerk. She served as interim town manager for Van Buren in 2009.



Robin Patterson

**Robin Patterson** was named Biddford town clerk last month, replacing longtime city employee **Kristy Cyr**, who was hired as clerk last November. Patterson moves to Biddford from Benton, where she served as clerk and registrar of voters for two years and deputy clerk for one year.



Nathaniel “Nate” Rudy

Gray Town Manager **Nathaniel “Nate” Rudy** has received the Credentialed Manager designation from the International City/County Management Association (ICMA). Rudy, a member of the Maine Municipal Association Legislative Policy Committee, is one of just 1,300 local government leaders credentialed through the ICMA. The

association includes 1,300 member organizations in 27 countries. To qualify for the designation, a candidate must have significant experience as a senior executive in local government; earned a degree, preferably in public administration; and demonstrated a commitment to high standards of integrity, among other requirements. Rudy has a combined 13 years of local and state government service. The ICMA provides advanced education and training for top municipal officials and covers areas such as innovation, ethics, and leadership.



Kathryn Ruth

Pittsfield Town Manager **Kathryn Ruth** will step down at year's end and fill the new position of grant administrator, starting next year. Ruth, who was highly successful in winning grant awards over her 21 years as Pittsfield manager, will serve as grant administrator for a year, until the end of 2024,

before retiring after a total of 40 years as a Maine town manager. Ruth, who initially planned to retire this year, agreed to fill the new position. If the town council finds a replacement for Ruth, she will work as assistant manager until the grant writing effort begins.

**Philip Selberg** has been named permanent fire chief for the City of South Portland after serving as interim chief since the retirement in February of Chief **James Wilson**. Selberg joined the force in 1998 and was promoted to deputy chief a decade later. City officials said Selberg was among 28 finalists for the job.



Danielle West

**Danielle West** has been named Portland city manager after serving as interim manager for 18 months, since **Jon Jennings** resigned in November 2021 to take an out-of-state job. West, 45, is the first woman to manage Maine's largest city. West was among 77 applicants and three finalists.

The other top contenders were from Ohio and California. Officials said during her tenure as interim manager, she proved herself to the staff and has been described as a good communicator and a "persistent problem-solver." West, who has worked for the city for 15 years, lives in Portland. 🏔️

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## STATEWIDE

Maine has received an “A” grade for its efforts to protect beaches from erosion, sea level rise and bad development projects. Only Maine, Maryland and California received a score of 11 out of 12 for climate change efforts to protect beaches. Thirty states and the territory of Puerto Rico were graded. The report by Surfrider Foundation praised Maine’s progressive policies and laws to combat climate change. The report highlighted a shortcoming in Maine, however: rebuilding of seawalls, which are featured at 50% of state beaches. New seawalls or expanding existing seawalls are illegal.

## AUBURN

The city council voted in May to discontinue the city’s recycling program, citing costs and low participation. The city is paying \$144 a ton to dispose of recycled material, compared with \$42 a ton at Maine Waste to Energy, which burns refuse to create electricity. About 7% of residents recycled their waste. Cutting the program is estimated to save the city \$227,000 a year.

## BAR HARBOR

The town has won a lawsuit defending a voter-approved referendum in November 2021 to impose restrictions on weekly vacation rental units. A real estate agent filed the lawsuit over the restrictions endorsed 18 months ago in a special vote. With the court ruling in hand, the town

may continue banning the transfer of weekly rental licenses to new owners when the rental units are sold. The aim of the ban is to reduce the number of non-owner-occupied rental properties and to slow the loss of year-round housing. The restrictions also limit weekly rentals that are not owner-occupied to no more than 9% of all dwelling units in the resort town.

## BETHEL

The town council last month rejected a proposed ordinance to control short term rentals, a challenging and controversial issue for municipalities across Maine. The ordinance was killed before any public hearings were held. The vote was 4 to 1. The proposal would have mandated short-term rental owners to follow common rules and to register with the town. Among other concerns, short term rentals take permanent rental units off the market and drive-up rental costs, exacerbating Maine’s housing shortage.

## CASCO

The town has won a lawsuit against a resident who refuses to clean up his property and remove junk vehicles. It’s a common problem everywhere. A Superior Court judge gave the homeowner until mid-July to clean up the property or face more action by the town. The town was awarded a \$49,000 civil penalty, due on July 1.

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## ELLSWORTH

As many as 80 men and women will be trained as volunteer firefighters thanks to a \$1.2 million grant to seven communities in the Greater Ellsworth area. The money will be used to train and equip the volunteers at a time when recruiting them has become almost impossible in some areas in recent years. Smaller, rural towns have suffered greatest losses. Communities have lost many firefighters to retirement as the Baby Boomer generation reaches retirement age. The towns that joined the city of Ellsworth to apply for the federal grant were Dedham, Hancock, Lamoine, Mariaville, Orland and Trenton. The cost of screening, equipping, and training each volunteer is \$6,000 to \$7,000; the gear takes about \$5,000 officials said. The city applied for the four-year Federal Emergency Management grant this past winter.

## KENNEBUNK

The town's Climate Action Plan Task Force began surveying residents in May about their concerns and sentiment as the community starts seeing the effects of the changing climate. Kennebunk is one of many Maine municipalities, especially along the coast, that have created committees or task forces to study the possible future impacts of rising sea levels and what needs to be done to prepare now for future problems. The survey was taken both online and on paper. "Our community is beginning to observe the effects of climate change," according to the task force news release. "This situation will require action and investment on the part of the town and its residents." The survey is the start of a series of outreach efforts by the task force, including public meetings and educational events.

## OLD TOWN

The town clerk will offer to wed couples at the town office for \$25, far cheaper than the \$200 charged by nearby Bangor. In Portland, couples pay \$125 for the short civil ceremony. Orono will wed residents for only \$25 with an appointment. No other towns around Bangor offer the service, which is rare in Maine considering the number of municipalities. However, many town clerks perform weddings outside of municipal settings. Old Town officials wanted to offer the service, but the COVID-19 pandemic delayed their plans. It is the first time Old Town has offered the service.

## PORTLAND

U.S. News & World Report has ranked Portland the seventh best place to live in the nation, according to its annual report. The ranking includes 150 of the most populous metro areas in the country based on criteria such as quality of life and the job market. Portland has ranked eighth in the last two years and was the only city in New England to land in the Top 10 this year. Green Bay, Wisconsin placed first.

## SCARBOROUGH

The town is the latest in Maine to adopt "No Mow May" and progressively encouraged residents to allow their lawns to grow through the peak pollination season this year. The town gave out lawn signs to participants. The sign reads: "No Mow May – it's all about the buzz." By not mowing, the grass and flowers attract five times as many bees as groomed properties at a time when bee colonies are struggling against continual growth that destroys their habitat. Several Maine communities have joined the effort that began in the United Kingdom, but how many is unknown. The first American community to adopt the program was in Wisconsin in 2020, so the trend is new. 🐝

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## CANNABIS OPT-IN REIMBURSEMENT STILL AVAILABLE

Did your municipality “opt-in” to allow adult use cannabis establishments within the last three years? If so, the municipality may be eligible to receive up to \$20,000 in reimbursement of its opt-in costs.

In 2022, the Legislature established the Adult Use Cannabis Public Health & Safety and Municipal Opt-in Fund, which is funded by excise and sales tax revenues from the sale of adult use cannabis (see 28-B M.R.S. § 1101). The Maine Office of Cannabis Policy (OCP) will use a portion of the Fund to reimburse municipalities for qualifying expenses resulting from the municipality’s decision to allow one or more types of adult use cannabis establishments to operate in the municipality. Qualifying expenses include, but are not limited to, legal fees and costs associated with drafting and adopting warrant articles, ordinances, or ordinance amendments, as well as costs of holding related town meetings and referendums.

The reimbursement is a one-time grant not to exceed \$20,000. Application for the reimbursement must be filed within three years after the municipality adopts a warrant article, ordinance or ordinance amendment opting-in to allow an adult use cannabis establishment(s) in the municipality.

Visit the OCP’s online grant portal to complete an application at: <https://appengine.egov.com/apps/me/ocp/grantportal>. Reimbursement questions should be directed to Tracy Jacques, OCP’s Director of Special Projects, at [municipal.ocp@maine.gov](mailto:municipal.ocp@maine.gov).

For more information on Maine cannabis laws and municipal authority, see MMA Legal Services’ Adult Use and Medical Cannabis Information Packets, available at no charge to members at [www.memun.org](http://www.memun.org). (By R.E.M.)

## CHARTER REVISION OR AMENDMENT?

**Question:** What is the difference between a municipal charter revision and a charter amendment?

**Answer:** Maine’s Supreme Judicial Court addressed that precise question in *Fair Elections Portland, Inc. v City of Portland*, 2021 ME 32.

Maine statute (30-A M.R.S. §§ 2101-2109) includes procedures allowing “revision” and “amendment” of municipal home rule charters. Charter revisions require the establishment of a charter commission and a relatively lengthy process like that required to establish the charter itself. In contrast, charter amendments may be adopted through a streamlined process. Unfortunately, state law does not define

either term or provide guidance on what differentiates one situation from the other.

Prior to the *Fair Elections* decision in 2021, Maine courts had not addressed the issue in depth, and it was necessary to examine caselaw from other states, the common meanings of the two terms, and presumed legislative intent to determine which procedure applied to a proposed charter change.

In *Fair Elections*, the Court confirmed that amendments and revisions both involve change short of complete charter replacement, but “revision” represents more significant change than “amendment.” According to the Court, the “critical question” is “whether the proposed change is significant enough to require a [potentially] years-long inquiry into all aspects of the municipality’s government.” The distinction is essentially one of scope focusing on the breadth and the depth of the proposal’s impact.

In terms of “breadth,” a charter amendment would not “materially affect” the municipality’s implementation of major charter provisions not mentioned in the amendment. Looking at “depth,” an amendment would not “make a profound and fundamental alteration in the essential character or core operations of municipal government.” In contrast, a revision is a change that would “justify a revisitation of the entire charter by a charter commission.” When making that determination, it is of “critical importance” to examine how the specific proposal would, if adopted, interact with the terms of, and the municipality’s operations under, the existing charter.

The Court also held that the municipal officers (select board or council) are gatekeepers empowered to decide whether a proposed charter amendment should be reviewed as an amendment or as a revision, even when a petition proposing an amendment chooses not to request that determination (see 30-A M.R.S. § 2104(4)).

Moreover, the Court held that findings of fact and (if needed) conclusions of law explaining the board’s reasoning are necessary because every municipal charter is unique, making this determination highly fact specific. Factual findings also allow for meaningful judicial review if the determination is appealed (as it was in *Fair Elections*).

The Court’s decision is consistent with MMA Legal Services’ longstanding view that a charter “revision” involves a change in governmental form and scheme while an “amendment” implies continuance of the general plan and framework, with correction of detail to better accomplish its purpose.

For a copy of the decision and more information on municipal charters, see our Municipal Charters Information Packet on MMA’s website ([www.memun.org](http://www.memun.org)). (By S.F.P.)

## MUNICIPAL EXPENDITURES AND “PUBLIC PURPOSE”

**Question:** Our municipal officers were told they need a “public purpose” before they may spend municipal funds. What law says so?

**Answer:** It’s true: a valid “public purpose” is necessary for all municipal expenditures.

No statute specifically says so, but Maine’s Supreme Judicial Court has long interpreted Maine’s constitution to require that taxation and spending at either the state or local level have a public purpose to be constitutionally valid. See Maine Const., Art. IV, Pt. 3rd, § 1. The Court has issued numerous decisions confirming this requirement. See, e.g., *Common Cause v. State*, 455 A.2d 1 (Me. 1983).

In practice, this means that taxpayer funds may only be spent on activities that will provide a clear benefit to the general public or a broad section of the public. State law includes a non-exclusive list of public purposes, including fire and police protection, sewer/water/power services, public works, schools and libraries, health and welfare, and economic development (see 30-A M.R.S. §§ 5722-5727). However, the unique facts surrounding any expenditure, even for a purpose included on the statutory list, must be examined by the municipal officers to confirm that a proportional public benefit will result. Certain expenditures, such as those supporting economic or community development, should only be made as part of a thoughtfully developed program.

Moreover, the public purpose requirement applies equally to allocation and use of public resources (e.g., municipal property, equipment, staff time) as these resources are provided through tax dollar expenditures.

Public funds may not legally be spent, nor resources allocated, to primarily benefit an individual citizen, business, or narrow group of citizens. One area where the issue commonly arises is with requests for municipalities to plow or maintain private roads. In 1989, the Maine Supreme Judicial Court confirmed that maintenance, including plowing, of private roads at public expense is an illegal expenditure of public funds for a private purpose in violation of the state constitution. (See *Opinion of the Justices*, 560 A.2d 552 (Me. 1989)).

The “public purpose” issue also frequently arises when citizens request (by petition or otherwise) a budget appropriation benefitting a private group or private property. Such requests should not be accepted unless the municipal officers determine that the recipient’s causes are of public benefit. To this end, requesters should be asked to provide verifiable information on what they have done to benefit the municipality or the public in the past and what they expect to do in the future with the requested appropriation.

Keep in mind that the existence of a public purpose does not mean that the proposed expenditure is good policy; whether the municipality should make a particular expenditure is a separate matter. Also, note that the question of public purpose is ultimately a matter for a court to determine; the board or town meeting cannot make an unconstitutional expenditure legal by merely voting to approve it. (By S.F.P.) 🏡

## MUNICIPAL CALENDAR

**JUNE 19** – Juneteenth, is a legal holiday (4 M.R.S. § 1051).

**JULY 4** – Independence Day, is a legal holiday (4 M.R.S. § 1051).

**BY JULY 15** – Monthly/quarterly/semi-annual expenditure statement/claim for General Assistance reimbursement to be filed via online portal, faxed to (207) 287-3455, emailed to [GeneralAssistance.DHHS@maine.gov](mailto:GeneralAssistance.DHHS@maine.gov), or sent to DHHS, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311).

**BY JULY 31** – Deadline for employers required to submit quarterly withholding taxes to file a return and remit payment to the State Tax Assessor (36 M.R.S. § 5253).

**BETWEEN MAY 1 AND OCTOBER 1** – Municipal officers may conduct process to close certain town ways to maintenance during winter months (23 M.R.S. § 2953). See MMA’s Municipal Roads Manual.

**BY AUGUST 15** – Monthly/quarterly/semi-annual expenditure statement/claim for General Assistance reimbursement to be filed via online portal, faxed to (207) 287-3455, emailed to [GeneralAssistance.DHHS@maine.gov](mailto:GeneralAssistance.DHHS@maine.gov), or sent to DHHS, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311).

# MAINE MUNICIPAL BOND BANK

## 2023 FALL BOND ISSUE SCHEDULE

Capital financing through the Bond Bank's General Bond Resolution Program allows borrowers to take advantage of the Bond Bank's high investment grade rating, low interest rates and reduced issuance and post issuance costs. Traditionally twice a year, in the spring and fall, the Bond Bank will consolidate eligible applicants and engage in a bond sale. From application to receipt of funds the bond issuance process usually lasts three to four months. Below is the schedule for the Bond Bank's Fall Issue.

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

**Tuesday, August 1<sup>st</sup> – Application Deadline**

**Wednesday, August 23<sup>rd</sup> – Application Approval (Board Meeting)**

**Wednesday, September 13<sup>th</sup> – Preliminary opinions and loan agreements due from bond counsel of each borrower**

**Thursday, September 14<sup>th</sup> – Last date for signing school contracts and rates in place for water district. PUC approvals due**

**Week of October 2<sup>nd</sup> – Maine Municipal Bond Bank Pricing**

**Monday, October 23<sup>rd</sup> – Final documents due from bond counsel**

**Wednesday, November 1<sup>st</sup> – Pre-closing**

**Thursday, November 2<sup>nd</sup> – Closing – Bond proceeds available (1:00pm)**

If you would like to participate in or have any questions regarding the 2023 Fall Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 ext. 213 or [treed@mmbb.com](mailto:treed@mmbb.com).



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