

Maine Town & City

The magazine of the Maine Municipal Association

MAY 2022

Maine Criminal Justice Academy

Volunteer educators help to reduce costs and increase the quality of the training.



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Election Round-up: It's Town Meeting Season

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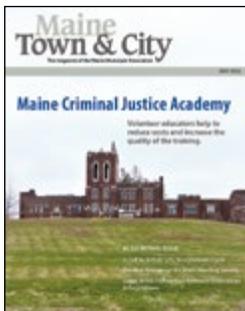
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ABOUT THE COVER:
Maine Criminal Justice Academy
in Vassalboro, ME. (Photo by
Rebecca Lambert, Advocacy &
Communications, MMA)

FEATURES

WELLBEING PROGRAMS. Many municipal law enforcement departments are going above and beyond to protect the public. Through adoption of “Good Morning” programs, municipal officials are interacting daily with their community’s most vulnerable residents. As a bonus, the routine check-ins are increasing employee morale. **PAGE 7**

MAINE CRIMINAL JUSTICE ACADEMY. Through the reliance on active law enforcement officers to voluntarily teach courses, candidates enrolled in the Academy’s certification programs are receiving training from local experts. Not only do the volunteer hours help to keep training expenses down, but the approach also ensures that all law enforcement officials – state, county and municipal receive the same level of training. **PAGE 11**

EFFECTS OF PTSD ON FIRST RESPONDERS. With the widespread recognition that PTSD is a critical issue facing Maine’s first responders, local leaders are proactively protecting the health of Maine’s law enforcement officers, firefighters, and emergency medical services providers. However, municipal leaders are facing challenges both with respect to the cost and availability of necessary treatment programs and services. **PAGE 29**

PANDEMIC SILVER LININGS. While the COVID-19 pandemic was disruptive on many levels, the solutions employed, and lessons learned carry on today. The need to use modern technology to provide services and conduct business has helped to streamline service delivery, as well as increase public engagement in municipal issues. **PAGE 33**

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A MESSAGE FROM MMA

BY KATE DUFOUR / DIRECTOR, ADVOCACY & COMMUNICATIONS

The Importance of Home Rule and Municipal Voices

As this edition of the *Maine Town and City* is published, the Legislature will have completed its work and finally adjourned. A full recap of the session, including descriptions of newly enacted laws, will be printed in the June magazine.

While it is not uncommon for the legislative session to get increasingly more heated as the adjournment date approaches, this year the anti-home rule sentiment was pronounced.

Frustrated by the Legislative Policy Committee's opposition to several initiatives, particularly Speaker Fecteau's housing bill (LD 2003), legislators, members of the public – and more pointedly MMA and municipal officials – were repeatedly reminded of the limits on municipal home rule authority. Specifically, that the legislature retains the authority to determine whether local leaders and residents have the right of self-governance over areas of municipal jurisdiction that are not otherwise preempted by state or federal law.

The claim among some legislators is that MMA, and by default its members, does not understand the limits of home rule authority.

Nothing is further from the truth.

The thousands of municipal officials and volunteers who dedicate their lives to community service know full well that unless constitutionally protected, nothing is guaranteed. Any initiative enacted by one legislature can easily be undone by the next.

However, just because the legislature can preempt local control, does not mean it is the right course of action. With increasing reliance on municipalities and property taxpayers to deliver and fund many of the state's policy priorities including housing, climate change, and solid waste management, the conversations should be focused on building stronger state/municipal partnerships.

Additionally, it is clear that there is a misunderstanding of the process used by MMA to establish its positions on legislation. On several occasions, MMA – the organization – was described as the “only opponent” to certain initiatives.

To that end, it is important to underscore that MMA is a membership organization.

There is nothing the Association can do without being directed to do so by its members, which includes 485 of Maine's 488 communities.

The Association's position on bills is established by its 70-member Legislative Policy Committee (LPC), which is

made up of two municipal officials elected by the select boards and councils from each Maine's 35 Senate Districts. Members serve two-year terms, which expire on June 30 of each even-numbered year and meet monthly when the legislature is in session to establish positions on municipally related initiatives.

MMA's advocacy staff simply acts as a conduit of information between its members and the legislature by communicating the municipal perspective and providing feedback on issues via public hearings, work sessions and legislators' responses through articles published in the Legislative Bulletin and magazine.

Because the LPC establishes the Association's position on legislative issues, it is important that municipal officials get involved. There are three avenues for engagement.

Run for the LPC.

Any municipal official from a member community, whether elected or appointed, is an eligible candidate. As described in the announcement published on page 17, the nomination process for the 2022-2024 policy committee is currently underway. The first step is to inform either the town or city manager or select board of your interest in serving on the committee. Nominations for candidacy must be returned to MMA by June 22.

Get to know your LPC members.

Find out who is representing your district and share feedback on issues of municipal interest. To get a sense of the bills MMA will be following throughout the session, sign up to receive our LD List, which is updated weekly and distributed on Fridays along with the Legislative Bulletin. The LD list includes descriptions of the bills MMA will be tracking throughout the session. To subscribe to the distribution list, please contact Laura Ellis at lellis@memun.org or 1-800-452-8786.

Participate in the MMA issues survey.

The newly elected LPC will meet in September to adopt its 2023-2024 legislative platform. Normally, the platform is made up of no more than 12 bills seeking to amend an existing law or propose a new initiative for the legislature's consideration. The issues advanced by the LPC are based on the results of a policy issues survey sent to all municipal officials. Please be on the lookout for the survey, which will be sent out in late summer.

This is your policy committee, please consider getting involved.



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Going Above and Beyond to Keep Residents Safe

While many people think of police departments as being responsible for public safety from a perspective of law and order, they may also do so by supporting a community's most vulnerable members through well-being programs.

By Stephanie Bouchard

Good Morning!

One of the most prevalent well-being programs managed out of police departments is the Good Morning program. Primarily for older adults or those with medical conditions living alone, the Good Morning program connects residents with police officers, department staff, or volunteers on a daily basis in the morning.

How the program is configured can be determined by individual police departments, said Daniel Merrill, deputy police chief in Orono. "Any municipality could do whatever works for their town and what the citizens would like," he said.

In Orono, on-duty personnel call each person on the program list in the morning. Some people they call every morning, Monday through Friday, others only get called on specific days, as specified by the individual resident.

Orono only has 10 people on its call list right now, so calling doesn't take a lot of staff time – maybe half an hour – but larger communities with longer call lists can be creative about operating their programs, Merrill said, such as calling half the participants on the list on Mondays and Wednesdays, and the other half on Tuesdays and Thursdays.

Some police departments, such as Brunswick's, opt to have the program participants call the department instead of having department personnel making calls every morning. Participants call the department each morning before 9:30 a.m. and select the Good Morning confidential check-in line from the automated menu, said Tianna Bernier, communications



From left: Officer Joshua Bernier; Detective Whitney Burns; Lt. Jonathan O'Connor; Sgt. Tom Stanton

officer and program manager for Brunswick's police department. The Good Morning program is open to residents of Brunswick, as well as from surrounding towns that do not have a similar reassurance program.

Participants leave their name and a short message in a voice recording, often sharing their plans for the day or how they are feeling. By 10 a.m., a department dispatcher listens to all the recorded messages, making note of who called and who didn't. If someone doesn't call, the dispatcher may wait a short time to see if that person calls in. If no call is received, the dispatcher will begin trying to reach that person, usually by calling first, then moving on to that person's contacts, and, if needed, will send an officer to the person's residence.

Lisbon's police department uses

a combination of staff members and volunteers to call the participants of its Good Morning program, said Ryan McGee, Lisbon's police chief and interim town manager. "It's instrumental to have these volunteers," he said. "A dispatcher doesn't have the luxury to be able to stay on the phone for a long time. It's just more of a check-in to make sure they're okay." But their program volunteer, Bruce Coffin, a retired registered nurse, can spend more time with participants. "It's become like a social time for a lot of these people to be able to have conversations," said McGee.

It's also an opportunity to assess someone's living conditions and physical and mental health, McGee and Bernier noted, and to gauge whether participants may need additional care or other beneficial resources. Through

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these contacts with residents, the Lisbon police department has been able to get food, heating oil, and medical attention to residents who needed those things, McGee said.

“Older Mainers love their independence, but they also like knowing someone is looking out for them, particularly if they live alone,” said Jess Mauer, executive director of the Maine Council on Aging. “Good Morning programs are a wonderful, low cost/high value safety net program for older people.”

Mollie Moore, 81, of Brunswick, and Diane Ackerman, 78, of Topsham, both participants of Brunswick’s Good Morning program, are grateful for the program because it provides them with peace of mind.

“I’m starting to develop some symptoms of health issues and I thought, oh my goodness, what would happen – especially to my kitty cat – nobody would know, you know? How long would it be (before someone found her)?” said Moore. “It was a real thing that was ominous.”

“Even though they don’t talk to you directly,” said Ackerman, “they’re

listening to what you’re saying in the morning, and they’re attuned to the needs that you have as an elderly person, so when they hear me saying today is plant watering day, they know it’s Tuesday (and) that I’m still functioning.”

Good Morning programs are free for participants, and usually don’t cost the departments running them much, if anything, to operate them. And while the benefit to participants is obvious, the department benefits, too, said Bernier and Merrill.

“The Good Morning program benefits the police department in that we get to stay connected with our community daily and build a positive trusting relationship,” said Bernier. “Our dispatchers look forward to hearing all the voices of the participants each morning and that they are doing well. We often hear that they are having a good day, what their plans are for the day, and many of them make sure to tell us in their recording how appreciative they are of the program.”

The appreciation they hear from participants is a morale booster and reminds officers and staff why they do

what they do, said Merrill. The Orono police department has one long-time participant who regularly shows his gratitude by delivering pies and other sweets to the department. “These are the things that people do back for us as a thank you,” he said. “This is the positive impact that we’re having on people.”

Bringing Wanderers Home

Another well-being program managed out of police departments is Project Lifesaver. An international nonprofit based in Florida, Project Lifesaver helps police departments set up local programs to aid individuals who have cognitive disorders, such as Alzheimer’s disease or autism, that may cause them to wander, which may place them in life-threatening situations.

The nonprofit provides law enforcement departments with wrist and ankle bracelet transmitters for participants to wear, batteries for the transmitters, and radio technology equipment for law enforcement to use if someone needs to be found. The organization also provides the training needed to



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Police department staff who have Project Lifesaver training don't just track down participants when they wander from home, said Joe Westrich, a Brunswick police department communications officer who manages the department's Project Lifesaver program. Because they replace the batteries in the transmitters worn by participants, they interact with them in person every 30 days. That face-to-face interaction builds a trusting relationship between participants and the

department staff members, who are assigned to specific participants.

While there is no charge for residents to participate in Project Lifesaver programs, there is a charge to the law enforcement departments, said Westrich. The initial cost to train seven officers and for equipment is between \$4,000 and \$6,000, he said. Brunswick has been able to cover the cost of the program by getting grants and by people sponsoring a bracelet, he said. "It takes a bit of work (to cover costs), but it can be done," he said. ■

STARTING A WELL-BEING PROGRAM IN YOUR COMMUNITY

For those interested in Good Morning programs:

Don't reinvent the wheel. Take a look at the participant applications used by police departments that already have Good Morning programs. These are often downloadable from the department's website.

Create a program guide that details how your program works. Make a version of that guide available to staff and volunteers and provide another, simpler version, to program participants.

Get the word out about the program to sign up participants and also to recruit volunteers. Use your department website and social media channels, and put brochures or posters up in locations in your community. Also, reach out to community organizations that work with older adults and/or adults with disabilities.

For those interested in Project Lifesaver, check out the nonprofit's website: <https://projectlifesaver.org> or contact Joe Westrich from the Brunswick Police Department at JWestrich@brunswickpd.org.

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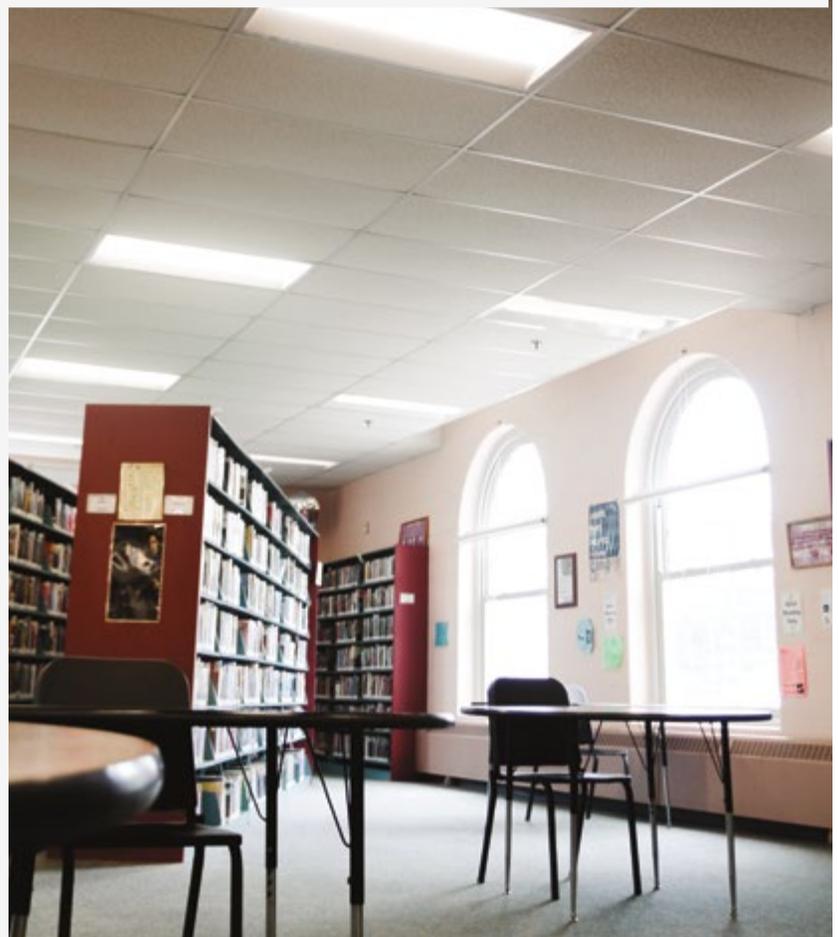
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Volunteers Help Train Future Law Enforcement Officers

Through the reliance on active law enforcement officers to voluntarily teach courses, the candidates in the Academy's certification programs are receiving training from local experts.

By Betty Adams

For the past 22 years, the Maine Criminal Justice Academy in Vassalboro has been the headquarters for training the state's law enforcement and corrections officers, and those officers provide the bulk of the course instruction to the tune of 20,000 hours annually.

The reliance on volunteer instructors has grown over the years in response to increasing training mandates as well as a way to keep costs down for departments funded by public money.

Rick Desjardins, director of the Maine Criminal Justice Academy, said in April that the academy provided 870 classes over the past year to 4,329 officers, including some officers who take more than one course.

"Our primary focus is to provide basic entry-level training and also provide mandatory training for officers in those topics as well," he said.

Maine has 2,869 certified full-time law enforcement officers plus 526 certified part-time officers, which is 46 fewer full-time and 55 fewer part-time officers than the previous year, according to Desjardins.

Maine law defines a "law enforcement officer" as "a person who by virtue of public employment is vested by law with the power to make arrests for crimes or serve criminal process, whether that power extends to all crimes or is limited to specific crimes and who possesses a current and valid certificate issued by the (academy) board."

The 2021 report also shows the state has 1,419 certified corrections officers plus 29 transport officers. The same law defines a corrections officer as "a



(Submitted photo)

person who is responsible for the custody or direct supervision of a person confined in a jail, prison or state correctional facility pursuant to an order of a court or as a result of an arrest and who possesses a current and valid certificate issued by the (academy) board."

The academy conducts its Basic Law Enforcement Training and Basic Corrections Officer Training programs on a campus in Vassalboro which formerly housed the Oak Grove-Coburn School. Motorists along Route 201 easily can see the large castle-like structure with turrets atop towers, crenellations, and tall lancet windows.

Desjardins' 2021 report to the Legislature's Joint Standing Committee on Criminal Justice and Public Safety notes: "The Academy is the central training facility for state, county and municipal law enforcement and corrections officers." Additional training

courses are offered regionally.

Federal funding for law enforcement officers became available under the 1968 Omnibus Crime Control and Safe Streets Act via the Maine Criminal Justice Planning and Assistance Agency.

"Using this as seed money, the Maine Municipal Association initiated a two-week law enforcement training program offered in the Portland, Augusta, and Bangor regions," Desjardins' report notes.

Fast-forward to 2022, and the training regimen has increased significantly and become more centralized.

According to the Maine Chiefs of Police Association website, "In addition to a 720-hour basic training regimen (offered in an 18-week residential setting), all law enforcement officers in Maine must complete 40 hours of continuing education or in-service training every two years. This training

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Rick Desjardins

typically includes 8-10 hours per year in topics mandated by the (academy's) Board of Trustees, and elective topics at the discretion of an agency's chief law enforcement officer."

Corrections officers in the state must complete the 200-hour Basic Corrections Training Program (of five weeks), the Basic Corrections Certification Exam, and the 80-hour field training phase, according to the academy.

Desjardins emphasized the impor-



Jared Mills

tance of having working, active law enforcement officers teach the cadets. "We have a police officer in here that teaches traffic stops, and he just did one. That relevance translates in the delivery. As an instructor, you don't have to sell your credentials."

"We joke around because we have a class on undercover drug investigations. The guy who does the class, he's hilarious, he's been doing this for years. He as a practice will come in

here and has just bought dope off the streets. He'll roll into Augusta, make a buy, come in here, teach a class, maybe even show the video of him buying the dope, and talk about it. It's so relevant that the class is just blown away."

Augusta Police Chief Jared Mills, who is also assistant city manager, is currently president of the Maine Chiefs of Police Association. He sees the advantages with the academy's use of volunteer instructors from the ranks of active officers.

"It costs very little to send an officer to the training course compared to what you get out of it," Mills said. "But the way they keep that cost down is by the volunteer instructors that go up there. It's a kind of give-and-take between the departments and the academy with the formula in which we work. To put it simply, if we didn't volunteer our hours up there, the academy under the current model wouldn't be able to work."

In April, three Augusta Police Department officers served as volunteer instructors in "mechanics of arrest." Other officers volunteer their time as well, teaching mental health first aid,

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firearms instruction, etc., Mills said.

The Augusta Police Department employs 59 people, including 45 sworn officers, plus dispatchers and clerical workers and has a \$5.6 million annual budget. Mills noted that officers who volunteer their time to the academy are paid by the city. In the case of officers serving as cadre – meaning they teach during the entire 18-week Basic Law Enforcement Training Program – the academy pays a stipend that goes to the department, with the officer getting the usual salary.

Courses and costs of continuing training opportunities listed on the Academy's Facebook page include a day-long Firearms Skills Development course June 16 at the Capital City Range in Augusta for \$24 including lunch, and a new five-day School Resource Officer Training Program June 27-July 1 at the academy with a tuition of \$120.

Mills himself went through basic law enforcement training in 1998 at the Municipal/County Basic Police School on Silver Street in Waterville, a precursor to the academy, which opened its doors in late 2000 and offered its first classes in 2001.

The history of the academy notes that in 2001, "The Municipal / County Basic Police School, Maine State Police Academy and The State Law Enforcement Basic School were combined into one program, the 18-week Basic Law Enforcement Training Program."

"One of the strengths of the Criminal Justice Academy is the fact that we all train under the same parameters," Mills said. "We're all together. When we see each other on the road, there's that level of already knowing each other and all basically working off the same sheet of music." He said that gives Maine an advantage over some other states.

Somerset County Sheriff Dale Lancaster, who is currently president of the Maine Sheriffs' Association, has views similar to Mills: "I think that the academy has an extremely important function in training our law enforcement officers. We are able to get the classroom experience, the laws, the court rulings, the driving. It's very important training. And then they come out and they have their field training, which is an extension of the academy."

Lancaster has been in law enforce-



Dale Lancaster



Jason Moen

ment for 48 years, training first at the municipal academy in Waterville in 1975, then the Maine State Police Academy in 1984, and the FBI National Academy in 2008. After being elected Somerset County sheriff in 2014, he took the corrections training program at the Maine Criminal Justice Academy and became a certified corrections officer as well.

The Somerset County Sheriff's Office law enforcement budget for fiscal year 2023 is almost \$4 million. There are 39 officers, including part-time and court security officers. The jail budget for the same time period is almost \$9.3 million, and there are 60 corrections officers.

The training budget is \$21,782 for the law enforcement division and \$12,840 for the jail staff, and that money includes fees for basic training for deputies and corrections officers.

Lancaster has taught classes for the academy in firearms as well as interviews and interrogation.

Desjardins talked about the future of the academy. "There's no ignoring the fact that we have currently many officers who are at the top of their game deciding it's time to go. They're retiring. It's a tough job. There's a reason most agencies or states allow officers to do a 20-25 year retirement because it's taxing. Sometimes with 20-25 years you're just hitting your stride. A lot

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of our instructors are in that top tier. A lot are leaving the profession. We have to continue to look at succession planning to keep those important programs going which we're able to do."

Vacancies occur for other reasons as well. Mills saw two city officers resign in the fall. "One left to be a bus driver because he didn't want to be a police officer any more after 15 years of service," he said. "One left to work for Maine Municipal Association – completely

out of law enforcement after about 10 years. You're seeing those folks that have traditionally done a really good job, have really had a high level of success and job fulfillment saying, 'I don't want to do the job anymore.'"

He said the members of the Maine Chiefs of Police Association are collaborating on improving recruitment, training, and retention.

Desjardins said, "Every agency is in a constant state of hiring for all intents

and purposes."

Lancaster too reported fewer applicants for law enforcement and corrections posts.

"The pay isn't equitable to what we're asking them to do," he said. "For a myriad of reasons, we're not getting the applications that we used to, and it's unfortunate. Though it's a very challenging job, I believe it's also a very rewarding job."

In late April, City of Auburn Police Chief Jason Moen was driving to the academy to instruct a class of newly appointed chiefs and deputy chiefs on policy development. Other Auburn officers have instructed various classes and assisted with the basic law enforcement training in handling incidents involving operating under the influence and some drug recognition expert training. "We try to send people up there when we can, given staffing levels," Moen said.

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At that moment he had five vacancies in the department that usually employs 60 people, 54 of them sworn officers and the remainder civilians who work in administration and records. Other departments face similar challenges.

“It’s systemic across the nation right now,” Moen said. “Now everybody is in the same boat. A lot of people are retiring and people are not drawn to the job as they once were.”

“The larger departments are at a disadvantage,” he said, and suggested returning to the system that allowed departments to reserve a “John Doe” slot in the next basic training class rather than use the hire-date system now in place.

Moen hired a new officer in October but was unable to enroll the individual in the January 2022 Basic Law Enforcement Training Program because it was full. So Moen said he is forced to have the new recruit remain on desk duty until an opening in another 18-week session is available. “We do not allow officers to work the streets themselves until they complete the academy and field training,” he said. “It’s an officer safety issue.”

He also talked about looking at the benefits of an 18-week residential academy versus a daytime program and involving community colleges to provide a Basic Law Enforcement Training Program at their facilities.

Forcing newly hired people to wait

half-year or more to take the 18-week course at the academy creates a lot of overtime for the department, he noted.

The Auburn Police Department has an annual budget of about \$4.5 million, with about \$50,000 of that earmarked for training.

According to a July 2021 report published on the U.S. Bureau of Justice Statistics website, “A total of 681 state and local law enforcement training academies provided basic training in-

struction to 59,511 recruits in 2018... During basic training, 82% of recruits in 2018 were trained on identifying and responding to the use of excessive force by other officers. Nearly all recruits in 2018 received reality-based scenario training in arrest control tactics, verbal tactics, use of force continuum or situational use of force, and self-defense.”

And Desjardins’ 2021 report to the Legislature notes that the Board of Trustees at the academy “adopted new

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standards on use of force, bias and other important improvements that strengthened our response on social justice issues.” A bill in this legislative session to form a study committee to look at law enforcement officer training and make recommendations for training “in racial issues, racial justice and social issues and for additional requirements for law enforcement officers” remained on the Study Table with the Legislative Council at the end of April.

However, Desjardin noted that the Academy board has the authority to

set minimum standards for agencies particularly when it comes to use of force and requiring officers to intervene when something is inappropriate. “For example, this whole issue about chokeholds and the George Floyd incident, those are things that our board immediately got out ahead of and said, ‘We’re going to codify some of these standards and make sure that there’s no question. We don’t train in that respect, we won’t train in that respect, and we will prohibit certain things from happening.’”

Desjardins also pointed out that

while the academy certifies officers, it also polices them. “We take credentials from officers who step out of line,” Desjardins said.

The pandemic had its effect on training as well and required the academy and other law enforcement entities to come up with alternative delivery methods for some instruction.

In April, Desjardins noted, “I had 27 cadets over the weekend report symptoms or positive COVID tests. Those people were asked not to come, but we were able to immediately set up a link so they could attend the classes that were required.” Within minutes the course was in a virtual setting. They were attending the class. You could see their faces and they could ask questions.”

The pandemic also forced the cancellation of the academy’s December graduation ceremonies. However, Desjardins was hoping the May graduation would take place as scheduled. Mills is scheduled to give the commencement address. ■



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New Legislative Policy Committee Elections Taking Place this Spring and Summer

Have you ever wondered how the Maine Municipal Association establishes positions on legislation, or how it sets its legislative priorities? Would you like to play a role in that process?

If so, please consider asking your select board or town or city council to nominate you. MMA takes its direction on all legislative matters from its Legislative Policy Committee (LPC) which is comprised of 70 members who are municipal officials nominated and elected by their peers. Two members are elected from each of Maine's 35 Senate Districts.

QUALIFICATIONS. The only criterion for being a nominee is that you must be an elected or appointed municipal official (e.g., selectperson, councilor, planning board or board of appeals member, assessor, manager, clerk, treasurer, road commissioner, etc.) from any MMA member municipality within the Senate District for which you are running.

EXPECTATIONS. Meetings are held roughly once per month during legislative session, usually on a Thursday. The newly elected LPC also meets once or twice in the fall to set its two-year legislative priorities. According to its bylaws, the purpose of the LPC is to define municipal interests and to maximize those interests through effective participation in the legislative process. The deliberations of the LPC are often rich in matters of public policy with a strong focus

on the appropriate role, responsibilities, and opportunities of local government to advance the interests of the state and its citizens.

LPC meetings are run much like a town meeting and moderated by a chair, who is the Vice President of the Association's Executive Committee. Members are also called upon from time to time to communicate with their legislators regarding LPC positions; sometimes even testifying at the Legislature if schedules permit.

NOMINATIONS. If the idea of serving on the LPC appeals to you, or if you know of somebody in your senate district who may be interested in being nominated, please talk to your selectboard or council and seek the nomination.

Nomination papers were mailed to the key official (town or city manager or chair of the selectboard) on Tuesday, May 3 with a return deadline of Wednesday, June 22. The nomination form must be signed by the chair of the board or council as well as the nominee (if possible). The nominee should also fill out the Nominee Profile Sheet included in that mailing so that a brief biography can be provided on the ballot which will be sent to all key officials within each senate district on Thursday, June 23 with a return deadline of Thursday, August 11.

QUESTIONS. If you have any questions about the LPC or the process by which they are elected, please contact Laura Ellis in MMA's Advocacy & Communications Department at 1-800-452-8786 or lellis@memun.org.



HR AND MANAGEMENT

June 16, 2022

Thomas College
Waterville, Maine

Sponsored by the Maine Municipal Association in Cooperation with the Maine Local Government Human Resources Association

8:00 am:

Registration/Continental Breakfast/Visit with Sponsors

8:45 am: Welcome

Catherine Conlow, Executive Director,
Maine Municipal Association

Laurie Lachance, President, Thomas College

9:00 am - 10:00 am:

Keynote Presentation

HR is Needed More Than Ever

The last few years have been a challenge for all employers - a COVID pandemic, the "Great Resignation", labor shortages, remote work - to name a few! HR professionals - and those in the municipal world who wear an HR "hat" - have worked tirelessly to keep organizations running and employees safe and engaged. Kudos to you! These rapid and increasing workplace changes and expectations will no doubt continue throughout this next decade. The role of human resources is more important than ever. Join us and be inspired as David Pease illustrates for us how the role of HR is evolving and how you can be a beacon of hope for your organization and employees.

Presenter: David Pease, SPHR, SHRM-SCP, Senior Vice President/Director Talent, Diversity & Inclusion, Bangor Savings Bank and Member, Board of Trustees, Thomas College

MTCMA Certification - 1 point Human Resources and Leadership categories

About David Pease:

In his current role at Bangor Savings Bank, David is focused on both building Bank talent and diversity, equity and inclusion, as well as working to build a diverse workforce in Maine. He holds national designations including the Senior Professional in Human Resources from HRCI and the Senior Certified Professional in HR from SHRM. David has spent over 30 years in human resource leadership roles including those at Androscoggin Bank, The Hartford, and Northern Light Sebasticook Valley Hospital, prior to joining Bangor



Savings Bank. He is the former State Director of the Maine Society for Human Resource Management and received the distinguished Maine HR Leader of the Year award. He recently received the Unsung Business Hero award from PROPEL Portland for creating a safe and inclusive work environment for employment. David also serves on numerous boards and advisory councils - including the Thomas College Board of Trustees - and as a mentor and coach to students and professionals.

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

10:15 am - 11:15 am: Block 1

Savings on Workers' Compensation Coverage

Are you saving all you can on your workers compensation contribution? If you work for a public sector employer and that employer is a member of MMA with workers compensation coverage from Risk Management Services, they are eligible to enroll in the Workers Compensation Safety Incentive Program (WCSIP). MMA's Bob Thomas will review the criteria established in each of the program tiers. Enrollment in each tier offers your employer workers compensation contribution savings.

Presenters: Robert Thomas, Loss Control Manager, MMA Risk Management Services

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

From Busy to Burnout - and Back

In our current unpredictable environment, life and workplace stress is a very real concern for everyone. Join Abby to learn how changing the view of your work and your life can leave you feeling more focused, productive, and empowered. Participants will also get a bonus look at how Mental Health First Aid can equip you to address mental health and substance use challenges at your workplace.

Presenter: Abby DiPasquale, MPH, MCHES, Health Promotion Coordinator, Maine Municipal Employees Health Trust

MTCMA Certification - 1 point Human Resources and Leadership categories

11:15 am – 11:30 am: Break/Visit with Sponsors

11:30 am – 12:30 pm: Block 2

HR Compliance 101

Laura Rideout, an employment law expert with law firm Preti Flaherty, will walk you through the life cycle of an employee—from job posting to separation—and highlight legal pitfalls, best practices, and compliance pointers. She will help you understand the applicable laws and regulations that will ensure your municipality maintains compliance. Topics of discussion will include: interview questions to avoid, structuring a conditional offer letter, conducting a valuable performance review, personnel file pointers, and how to investigate employee misconduct.

Presenter: Laura Rideout, Partner, Preti Flaherty

MTCMA Certification – 1 point Human Resources and Legal categories

Conflict Resolution in the Workplace

Conflict is an unavoidable part of life and work, but it inevitably has been shown to reduce productivity and create a difficult work environment, leading to unwanted turnover in staff and reduced morale. This session will focus on identifying crisis or conflict situations and appropriate responses. Developing these conflict resolution skills is essential to increasing effectiveness and safety in the workplace, building stronger support from fellow employees and citizens, and reducing complaints, lawsuits, and job-related stress.

Presenter: Adam Gormely, Risk Mitigation Solutions Manager, Dirigo Safety

MTCMA Certification – 1 point Human Resources and Leadership categories

12:30 pm – 1:30 pm: Lunch/ Visit with Sponsors

1:30 pm – 2:45 pm: Block 3

Understanding and Responding to Microaggressions

This session will explore the concept of microaggressions: the everyday verbal and nonverbal slights, snubs, or insults, whether intentional or unintentional, that communicate hostile, derogatory, or negative messages to target persons based upon marginalized group membership. Mandy Levine will help participants to identify different types of microaggressions; distinguish between intent and impact; and learn and practice practical ways to respond to microaggressions, whether you are the target or whether you are intervening as an ally.

Presenter: Mandy Levine, Owner, Mandy Levine Consulting

MTCMA Certification – 1.25 points Ethics and Human Resources categories

Making Smart Employment Law Decisions

The employment law team from Drummond Woodsum will walk you through key legal decisions from the last year and how to balance compliance with your workplace culture. They will address how to adequately capture, communicate, and implement these requirements through workplace practices, staff training and personnel communications, such as handbooks or manuals. Their tips for navigating these trends will help you to promote a friendly workplace environment, while maintaining compliance – and will force you to consider how your values as an organization and employer fit into your employment law decision-making.

Presenter: Daniel Rose, Kathleen Wade, Michael Buescher, Attorneys, Drummond Woodsum

MTCMA Certification – 1.25 points Human Resources and Legal categories

2:45 – 3:00 pm: Break/Visit with Sponsors

3:00 – 4:00 pm: Block 4

Performance Management: A Continual Process

The performance management process consists of three general elements: goal setting, ongoing coaching and development, and formal or informal employee feedback. This program will explore each of these components and how a continual performance management process can set supervisors, employees, and ultimately your organization, up for success. This session will also cover compliance issues, documenting employee performance, and strategies for regular coaching.

Presenter: Deb Bartol, HR Consultant, KMA Human Resources

MTCMA Certification – 1 point Human Resources and Leadership categories

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Details to come!

MMA INSIDER.

Member Relations – Key to MMA’s Success

By Theresa Chavarie / Manager / Member Relations / Maine Municipal Association



About the Author: Theresa Chavarie began her career at MMA as the executive secretary in May 1992. As a member of the senior management team and through collaborations with the executive director and governance board members, she was soon recognized

for her interest and enthusiasm for promoting member relations. Today, she continues to work in the Executive Office, overseeing membership enrollment, eligibility, and member relations. Theresa is MMA’s public access officer and refers to herself as a “generalist,” knowing just enough about most aspects of MMA operations, services, and programs. Theresa enjoys time with family and friends, raising her Yorkies, exploring alternative health options, gardening, and anything that taps into her creative side. Eight grandchildren keep her family busy following sports, social interests and taking time to hike, play and enjoy mini road trips, including time at camp on Square Lake.

Make no mistake, the provision of exceptional member relations is a top priority for MMA.

Dedication to member service is evident in all that MMA does. Whether it is providing the legal advice necessary to help members navigate complex state statutes, assisting communities in negotiating labor contracts and recruiting employees, ensuring that municipal voices are considered during the enactment of legislation, meeting employee training needs, responding to questions about health insurance products, or providing programs that protect the wellbeing of municipal employees and property. Universally, the Association is dedicated to ensuring elected and appointed municipal officials have the tools necessary to serve their communities.

However, there is always room for improvement.

In 2016, MMA’s Executive Committee recognized the need for a periodic assessment of services and escalated its longstanding commitment to member relationships and services. Led by Laurie Smith, then MMA president and current Kennebunkport town manager, the Association

launched a membership outreach strategy directing staff to gain a better understanding of the needs and challenges facing municipal officials and increase awareness of the programs available to assist municipal leaders in delivering local services.

Specifically, the strategy called on staff to: (1) schedule in-person visits targeting municipalities in need or transition; (2) empower and better support MMA’s field staff by increasing internal communications and providing the resources necessary to facilitate in-the-field member education efforts; and (3) facilitate regional meetings between municipal officials and MMA staff in all areas of the state.

The executive office developed a plan to visit with each member municipality between 2017 and 2021. In the first three years, MMA’s executive staff hit the road and visited community leaders in 315 municipalities and participated in 19 county/regional group meetings. These visits enabled staff to share information on the Association’s annually developed goals, focus areas, services, and programs; listen to concerns and needs of municipal officials; and to bring information back to the executive committee for use in the development of priorities and programs in subsequent years.

With the COVID-19 pandemic outbreak in early 2020, MMA pivoted to telephone calls to provide encouragement and support as our members and citizens faced tremendous challenges. MMA, like most of the world, implemented new engagement and communication strategies and began to rely on the MMA website, Zoom meetings, MailChimp communications and other electronic platforms to engage with members on pandemic updates, as well as to continue services and programs.

During that time, many lessons were learned, and innovative approaches were initiated that to this day continue to benefit MMA and our members. Of greatest impact was the opportunity to embrace advancing technologies to provide online training and webinars to municipal employees across the state who are unable to leave their offices or travel long distances to attend in-person workshops.

In August 2021, MMA welcomed its new executive director, Catherine Conlow, and a renewed interest in traditional membership engagement. With the pandemic in recession, not only are MMA staff and service representatives back on the road visiting members, but the Association has unlocked its doors and is hosting in-person meetings and workshops with its members.

Although we were not able to meet our goal of visiting with each member municipality staff looks forward to continuing the Association's outreach efforts and welcomes the opportunity to visit with your community. If you would like to arrange a one-on-one or regional group meeting, please do not hesitate to contact me at either 1-800-452-8786 or tchavarie@memun.org

By The Numbers

The following numbers capture the specific outreach efforts that took place between Jan. 1, 2017, and Dec. 30, 2021, which for some departments was outside the regular scope of fulfilling traditional services and programs. As an example, the numbers reflected below do not include routine day-to-day telephone calls with members.

12,184 municipal officials attended **171** MMA training sessions, workshops, and webinars. Additionally, MMA staff assisted **14** affiliate organizations with **271** professional development training sessions, workshops, and webinars.

11,764 municipal official outreach efforts were made by the Risk Management Services staff.

10,235 municipal official outreach efforts were made by the Maine Municipal Employees Health Trust and Health Promotion staff.

3,031 municipal official outreach efforts were made by staff in the executive, communications, advocacy, legal, personnel and IT departments.

1,231 newly elected officials received congratulatory letters from the executive director introducing them to the Association services and programs.

329 invitations were accepted by staff in the executive, advocacy and communications departments from county/regional and other organizations to provide presentations on specific municipal issues.

276 new town/city managers received congratulatory letters from the executive director with a Profile of Services for their municipality.



Helpful Resources available to you!

Visit the MMA website at www.memun.org for a wealth of information and resources. View links and publications currently available under, "About Us" to learn more about MMA membership, services, and programs.

Website Member Area - Members may register for access to the password protected area on the MMA website at: <https://memun.org/Register>. Contact resourcecenter@memun.org for assistance.

Membership Database Updates - Municipal clerks are asked to provide membership database updates and changes for elected, appointed officials and employees to MMA by emailing Personify@memun.org.

E-Business Accounts - Register for upcoming workshops, conferences or webinars, or order publications electronically at: <https://memun.org/About-Us/Do-Business-with-MMA/MMA-eBusiness>. Contact ebiz@memun.org for assistance.

Training and Workshops - If you have questions regarding MMA and Affiliate Group training and workshops, please contact training@memun.org.

Affiliate Professional Municipal Memberships - If you have questions regarding individual memberships with the Affiliate organizations, please contact training@memun.org.

Salary Survey - Access the MMA Salary Survey at: <https://SalarySurvey.memun.org>. Contact resourcecenter@memun.org for assistance.

Risk Management Services' Online University - The Online University provides safety training courses. Contact rmslosscontrol@memun.org for assistance.

ABOUT THIS SERIES:

The MMA Insider is a special series focused on improving communications with our members and shedding light on the internal workings of the Association. Future editions of the *Maine Town & City* magazine will include articles written by MMA employees featuring the services provided to our members.



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 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 winners of the 2022 essay contest:

Marley Berry

T.W. Kelly Dirigo Middle School (Dixfield, Peru resident)

James Tyll

St. Brigid School (Portland; Cumberland resident)

Abigail Webber

Lincolnvile Central School

The authors of the winning essays, which are published in the following pages, will each receive a \$250 Visa card and a certificate of achievement.

This year, the Association received 122 entries describing efforts to invest in educational programs, recreational opportunities, community gardens, and broadband infrastructure, as well as to increase salaries to retain public safety employees. Key among the themes in all the submitted essays is the need to work together, the importance of effective and routine communications, and a desire to give back to their communities generally, and more specifically to Maine's more vulnerable residents.

The essays are thoughtful, provide positive insight into our future leaders and most importantly exude a level of selflessness.

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 Readfield budget committee 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.

We look forward to reviewing next year's essays.

If I led my community...

Maine Municipal Association | 7th Grade Essay Contest Winner



MARLEY BERRY

T.W. Kelly Dirigo Middle School

Ms. Randolph, teacher

If I led my community there would be a multitude of things I would have to do. Some of the things I would have to do is talk with other elected officials to see if there is anything they think needs to be done or fixed, as well I would need to talk to people who live in the community to know what they believe needs to be done in the community. I would have to talk with the select board to see what they believe needs to be fixed or done, I would have to see what grants people already have and what are they for and I would have to see who is applying for grants and if the grant is suitable for what they are going to use the grant for, and I would have to see what archive structure is needed to be repaired. I will have to make sure health codes are followed at each building that is in public use and that they are safe to be in, and I would have to make sure everyone in my community is accounted for in the community. I would also have to make sure the public schooling system stays up and maintained. I will have to make sure voting still happens and is maintained.

I will have to make sure the town's economy does not crash, I have to make sure everyone who is still a kid is getting an education somehow whether it is homeschooling or public schooling, and I will have to make sure the nature and wildlife does not get damaged, and I know there are other things that are important but those are the things that come to mind first and what I would like to get done as soon as possible.

The reason why I believe the things I listed are important is that the community would have a harder time running if we did not try to maintain these things. It will hopefully keep the community maintained even after many years.

When working on the community I would need help from some of the departments in my community. The departments in the community that I will work with are the board of education, public works and transportation, the records department, community health, environment and land management, community and economic development, parks and recreation, human resources, justice, public safety, the finance department, as well as many other departments. As well, I will have to talk to the members of the community on a regular basis to know if they want any improvements and to tell them what is happening with the community.

Thank you for reading about what I would do if I led the community.

If I led my community...

Maine Municipal Association | 7th Grade Essay Contest Winner



JAMES TYLL

St. Brigid School

Mrs. Natalie Haskell

If I led my community what would I do? I would establish a working town government that supports the people of my town and solves our problems and supports the working people. I would support the post office and make it more efficient, raise the pay of firefighters and policemen, and support the school system with important and needed subjects.

Generating an efficient post office is very important. Post offices keep us and our packages connected. Imagine if you need some urgent medicine and your local post office is inefficient, you may not get that medicine for a couple days. By supporting our local post offices we make our community safer, and it will help small businesses thrive. Nowadays, shipping is EVERYTHING, and any business that hasn't evolved has been hurt tremendously. Our post offices ship out our packages and are crucial for our local businesses to grow and prosper. To solve this problem, we can raise the pay of post office workers, making the job more enticing and easier to make a living from it. From sending letters with grandparents and shipping out packages to buyers, keeping our post offices open and efficient is vital to a thriving community.

Raising pay and showing more support to firefighters and policemen would make the jobs more enticing. Firefighters and policemen are staples of our community and without them our communities would be less safe, and dangerous. We need to show to kids and teens that these jobs are important and vital to a community. We can show them how these role models do their jobs and save lives. These heroes do not make enough money and deserve to have their salaries raised. Raising the pay of their jobs would also bring interest to new people who would be willing to serve their communities. Firefighters and police make our communities safe, and we should honor them.

Without an education, our communities will crumble. We need smart people who are willing to work and find a job they like doing, not waiting for others to do it for them. The root of solving this problem is polishing up our school systems. We need to teach kids that working is going to be an important part of their lives and show them many of the opportunities that they will have. In grade school, there should be an entire class focused around these jobs that kids might not know exist even though they are perfect for them (Marine Biologist, zoo keeper, firefighter, police officer, and many more). Starting in middle school they should start learning about economy, taxes, and life skills that are going to be needed in the future. Kids need to learn some opportunities to prosper and play important roles in our communities.

If I led my community I would focus on the important things and people, like post offices, firefighters and policemen, and polishing up our school system. In modern society, community is everything, and keeping my community thriving would be crucial.

If I led my community...

Maine Municipal Association | 7th Grade Essay Contest Winner



ABIGAIL WEBBER

Lincolnton Central School

Mrs. Sarah Michaud, teacher

If I led my community, my first step would be to start a project such as a community garden that would bring the local community closer as well as reach out to neighboring areas in order to bring people together. Using the simple idea of a community garden would make it possible to influence multiple groups of people, and instill valuable life lessons into children, allowing me to influence both current situations and the future of my community.

In order to be able to reach so much of my community as well as others, I would start by using some public land and turn it into a community garden. Many towns already own large areas of unused land so I would not have to get rid of anything existing. The idea of one central location for the garden would allow the people in my community a place to come together. It would be very important to get both children and adults involved. This would allow the adults to teach the kids about growing food and the work involved.

A community garden would help kids and adults increase their volunteering hours by planting, watering, and picking to make the fruits and vegetables very fresh. It might also intrigue adults and children to take culinary classes with high quality fresh food that they grew themselves. Culinary classes and volunteering hours teach real life skills that a community member would need.

Many of the fresh food items from the garden would be donated to the local food pantries surrounding us making it easier for the people to get access to food. The local food pantries around Lincolnton do not have enough fresh food in their stock and with the garden they would have plenty. Donating the food would also help the kids understand that you need to take responsibility and care about your local and neighboring towns.

Creating a community garden would also reduce the amount of trash production by offering a community compost collection. A community compost collection would also help improve soil quality and create a sustainable source of fertilizer. By having the amount of trash production decrease, we would have a much cleaner community which would make a better and more attractive habitat for the animals. Some of the animals might even help keep the community and garden cleaner and even healthier than before.

Leading the community would be difficult, but the community garden would really help improve the community in so many different ways. It is a great way for the community to bond and make friendships. It would also be a great opportunity for the children of the community to learn how to take care of their environment while giving back to their community.

Unopposed races plentiful in spring town meetings

By Liz Mockler

In many of the 200-plus annual town meeting elections held in March and early April, select board incumbents went unchallenged as well as new candidates seeking an open seat.

There are too many meetings and too few published reports to call the decline in candidates a trend. But seemingly, just as municipal officials face a wave of retiring “baby boomers,” selectmen and women who have served for decades are stepping aside. Getting replacements is not always easy.

In some towns this year, there were multiple seats available but just one contender for each. In others, there were no contested races at all.

James Bennett, president of the Maine Municipal Association, said the dearth of competition could signal either disinterest or satisfaction.

“I think there are three reasons” why more people don’t run for local office, he said. “Number one, it could be they are generally satisfied with the community. Two, they might feel disenfranchised and just give up.

“Third, people are so busy it’s difficult (to find time) to serve.” said Bennett, Biddeford city manager who has served multiple communities of different sizes over his 40-year career, such as Lisbon and Dixfield.

It’s unclear whether the COVID-19 pandemic, which raged through 2020 and 2021, has affected interest in local service. This is the first year many towns held regular town meetings without imposing special pandemic rules.

A lack of competitive local races is nothing new to the Town of Smithfield, located in Somerset County with a population of 1,000.

Nichole Clark, administrative assistant to the select board, said she



Nichole Clark

has worked for the town for 23 years and there were but five competitive races. Often, a candidate will run unopposed even when seeking to replace an outgoing select board member.

This year, three candidates were unopposed in the select board races.

“A lot of people are just too busy to get involved,” Clark said. “It’s sad. If more people got involved, they would have a better understanding” of how local government works.

Almost all of the smallest Maine towns hold their town meeting and elections in the spring – a few will wait until May. Some larger municipalities have moved their annual business meeting to June from March to get firm budget numbers from schools, county and state governments. The cities wait until November to coincide with voting for state and federal officials.

Both in June and November, many warrants are decided by secret ballot rather than the traditional open town meeting. In the meetings, the warrant is debated from the floor while voting for candidates is private.

Officials have found turnout to be much higher when residents can vote in secret.



Shelly Crosby

In addition to voting for select board and school board members, local referenda are also decided. They range from moratoriums to financing major projects to changing zoning rules.

Shelly Crosby, Orono town clerk, said candidates are more plentiful for council races than the school board. She said competitive races in the town of 10,000 are typical. Still, she hears from residents who see her at the town office who would like to seek election or volunteer, but their home and work schedules will not allow it.

Besides being too busy, Crosby said many of today’s work schedules are no longer nine-to-five. Some people still work from home because of the pandemic and a lot of businesses have evening hours, which prohibits them from giving time for municipal service.

“They just don’t have a block of time” to dedicate to public service, she added.

Following are among the municipal election results from the first round of meetings. They are based on published reports, research, and interviews with town clerks.

The list would be doubled if unop-

Liz Mockler is a freelance writer from Caribou and regular contributor to *Maine Town & City*, lizmockler@hotmail.com.

posed candidates were included in the roundup. The only unopposed races listed below are those in which someone ran to replace an outgoing board member.

The results are listed in alphabetical order by municipality.

Albion: Newcomer **Michael Gardner** ran unopposed for a three-year term, replacing **Jerry Keay**, who did not seek re-election. State Sen. **Scott Cyrway** was elected with write-in votes for a two-year term, defeating one challenger. The seat had been vacant.

Andover: In a special election, **Jeffrey Elkie** ran unopposed to replace **Mark Thurston**, who resigned in January.

Baileysville: Selectman **Carl Ripley**, who did not return nomination papers in time to make the ballot, was re-elected to another term with write-in votes.

Belgrade: **Melanie Jewell** and **Richard Damren, Jr.** were re-elected to the select board, defeating appeals board member **Nicholas Alexander**.

Benton: Newcomer **June Caron** defeated incumbent **Robin Cyr** by 9 votes to win a three-year term.

Blue Hill: Selectman **James Dow** held off two challengers to win a

three-year term. The two other winners, newcomers **Sean Dooley** and **Butler Smythe**, defeated opponents to win the two new seats on the board. It will now include five members rather than three.

Canaan: **Megan Smith** was unopposed to replace **Jeffrey Clarke**, who did not seek re-election.

Castle Hill: Newcomer **Hermon Condon** ran unopposed to replace **Gerald McGlenn** for a three-year term. **McGlenn**, whose term expired this year, was elected with write-in votes to replace **Theresa Albert** for a one-year term.

Cherryfield: Selectmen **Arthur Tatanogelo** and **Clifford Perry** held off one challenger each to win re-election.

Columbia Falls: **Jeffrey Greene** was elected to a three-year term to replace **Clarence Tabbutt, Jr.**, who did not seek re-election.

Cornish: **Jessica Larson** won a three-year term, replacing **Christopher Calnan**.

Cornville: **Michael Gould** held off a challenger to win another term.

Dixmont: **Donald Pendleton** held off a challenger to serve another term.

Chesterville: Newcomer **Sandra Gilbert-Lord** ran unopposed to win a one-year term, replacing **Tim LeSiege**,

who won a three-year term along with **John Archer**. LeSiege and Archer defeated Select Board Chair **Tiffany Estabrook**.

Farmington: **Byron Staples** and **Joshua Bell** won three-year terms, defeating incumbent **Michael Fogg** and a second contender. Bell did not seek another term but won with write-in votes. Neither winner was on the ballot: they won with 160 and 159 write-in votes, respectively.

Fort Kent: Incumbents **Jacob Robichaud** and **Carroll Theriault** received the most votes to win re-election from a field of five candidates. They will serve three-year terms.

Frankfort: **Samantha McKay** ran unopposed to take the seat of the late **Steven Imondi**.

Guilford: **Guy Dow** was unopposed to fill the seat of **Kent Burdin**, who did not seek re-election.

Hebron: **Gino Valeriani** was elected to succeed longtime Chairman **Richard Deans**, who did not seek re-election after 36 years.

Hiram: **Cory Hale** defeated a challenger to win the seat vacated by **Herbert Jamie Marshall**, who did not seek re-election.

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Island Falls: Selectman **Anthony Binotto**, who did not seek re-election, agreed to accept another three-year term after winning the seat with 76 write-in votes. A second write-in candidate received 20 votes.

Lamoine: **Larissa Thomas** ran unopposed to replace outgoing Selectman **Robert Christie**.

Limerick: **Katherine Proctor** and **Gilbert Harris** held off a challenger to win three-year terms. **Ronald Smith** won a two-year term, replacing **David Gibson**, who died in December. Incumbent **John Medici** won the one-year seat, replacing **Heath Edgerly**, who was recalled last August.

Mercer: Selectman **Gary Mosher** defeated a challenger by a vote of 114 to 50, while **Mary Burr** ran unopposed to replace outgoing Selectwoman **Dari Hurley**.

Milo: **Donald Banker** was elected to replace **Paula Copeland**, who was termed out.

Minot: **William Perry** ran unopposed to replace **Stephen French**.

Oakfield: Incumbent **Barbara Branscombe** won re-election, while newcomer **Danny Barrows** won the second open seat, vacated by **Anthony White**, who moved out of town last year. Barrows collected the most votes in the five-way race for two open seats.

Orono: Newcomers **Sonja Birthisel** and **Leo Kenney** won two of three open town council seats. They edged out incumbent **Terry Greenier**, the only board member who sought re-election this year. The second seat was vacant after **Laurie Osher** decided not to seek re-election. Meanwhile, **Robert Laraway** was elected to finish the last two years of **Laura Mitchell**'s term. Mitchell resigned last November.

Roxbury: **Matthew Patenaude**, who recently retired after serving the Roxbury Fire Department for 22 years, was elected to serve the remaining two years on the late **Rodney "Bing" Cross**' term. Patenaude is also the town's Emergency Management Agency administrator.

Sidney: **Alicia Collins** and **Lewis Corriveau** were unopposed to replace Selectwoman **Alisa Meggison-Keimel** and Selectman **Alan Tibbetts**, who did not seek re-election.

St. Albans: **Tammy Crocker** defeated two challengers to win the seat vacated by **Peter Denbow**, who did not seek re-election.

Unity: **Timothy Parker, Jr.** ran unopposed to replace **Tony Avila**, who did not seek re-election.

West Gardiner: **Randall Macomber** was re-elected to his third term after defeating a challenger.

Whitefield: Incumbent **Keith Sanborn** and newcomer **Seth Bolduc** won the two open seats. Bolduc replaces **Lise Hanners**, who did not seek re-election. ■

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Early Intervention Is Key

However, as more first responders with PTSD seek help, municipalities are finding that providing the needed services is challenging.

By Maureen Milliken

Ever since first responders began running toward the trouble that everyone else was running away from, they have struggled with the trauma. For many years, it was endured in silence, often with disastrous results.

“When it came to traumatic events, we were basically told, ‘Suck it up, but-tercup,’” said Mike Crouse, president of Professional Fire Fighters Maine (PFF). No one was talking about post-traumatic stress disorder among first responders. “They let it build up until it affected their family life or their career, their conduct in the workplace, their performance in the workplace. When it got to that level, back in the day, we looked at those employees as not having a behavioral health disorder, but just as bad apples in the bunch.”

The “bad apples” were disciplined for poor conduct or performance, were suspended or terminated “and they went undiagnosed and treated,” he said.

The turning point for Crouse came about 15 years ago, when a paramedic with 28 years of service and an exemplary record, including performance commendations and bravery citations, faced termination because of increasing conduct issues over the previous three years.

The paramedic had been on the front-line ambulance service his entire career, “without a break,” Crouse said. Crouse asked him if he’d be willing to be evaluated for mental health issues. He agreed, and was diagnosed with PTSD, the psychiatrist and therapist both connecting his behavior issues with the on-the-job trauma built up over those years. The PFF filed a workers’ compensation claim, the termination was overturned and the paramedic got the treatment he needed.

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Firefighters and other first responders on the scene in Augusta. (Submitted photo)

“That really shined the light on it for me,” Crouse said.

Growing Awareness

Two decades later, there’s widespread agreement that PTSD is a critical issue for first responders that must be addressed. But that agreement doesn’t mean the road is a smooth one. As the stigma that surrounds mental health issues fades and the reality of PTSD is understood, the greater challenge now is how towns and cities across Maine can find a way to provide help.

First responders’ treatment for PTSD got a boost in 2017 when the Maine Legislature passed a workers’ compensation initiative that made PTSD among police, firefighters, and paramedics a rebuttable presumption of workplace injury – a municipality challenging a case has to prove the job didn’t cause the employee’s PTSD, rather than the employee proving it

did. The presumption was slated to sunset this year or become permanent, tied to a report of the Legislature’s Workers’ Compensation Committee due in December.

Last month, the Legislature passed LD 1879, which added dispatchers and correctional officers to the presumption and extended it for three years. Another bill, LD 1504, sought to extend services to first responders, including adding a staff person to the Department of Public Safety as a coordinator. That bill passed the House and Senate but has been tabled pending funding.

In the discussion of both bills, everyone who testified agreed on the importance of making sure there is help and support for first responders. How to provide it, however, remains a moving target.

The December report by the Workers’ Compensation Committee shows that claims for PTSD have nearly tri-



Phil Crowell



Mike Crouse



Amy Davenport Dakin

pled since the rebuttable presumption was installed in 2017. From 2014 to 2017, 56 claims were approved, and from 2017 to 2021, there were 140.

The report also shows the average cost of a claim has decreased — \$56,790 from 2014-17 to \$16,710 in 2017-21. But it's not apples to apples — the majority of claims before 2017 were lump sum payments or, if they paid out over more than a year, the amount is reflected in the data. In the post-2017, there are fewer lump sum payments and more recently claims may not be fully paid out.

Testimony at the January hearing before the Committee on Labor and Housing was largely in favor of making the presumption permanent. The Maine Municipal Association, however, cautioned that “the financial impacts are much larger than present-ed,” pointing out that more recent costs may accumulate further.

Municipal officials understand the pressures on first responders, “the trauma associated with responding to situations when people are at their most vulnerable, and the stigma associated with asking for help,” MMA testimony said, but added that the presumption does not “change the nature of the work, address shortcomings in the mental health system, create early intervention programs, raise awareness, or impact the cultural changes

that are needed.”

The focus must be on employees in all areas of Maine having access to the providers necessary to both diagnose and treat PTSD, MMA said. With the continuation of the presumption, the Legislature should also provide the money necessary to cover increased costs to municipalities, “as well as adopt the policies and programs necessary to address the underlying issues.”

Adding to the expense of treatment is a shortage of clinicians trained to treat PTSD. That not only delays treatment in some cases, but also means traveling far for treatment in some cases. In the testimony for LD 1504, one first responder recounted how his counselor was initially in Kingston, New Hampshire — a three-hour round-trip.

“This is a huge issue to find culturally competent counselors to treat this program,” said Amy Davenport Dakin, a licensed clinical mental health counselor whose client load is made up solely of first responders. “Counselors have to educate themselves to work with the unique nature of this population.”

Davenport Dakin, who runs New Perspectives, in Augusta, is program director for the PFF’s Behavioral Health Response Program. She said the best way to combat the shortage

is to develop training programs for counselors who can address needs of first responders, and for towns and cities to provide funding that will support clinical access.

She said that funding, which could also train peer members on early intervention, is key. “Early intervention also helps increase resiliency and helps prevent long term issues, such as PTSD,” she said.

Costs of Early Intervention

Early intervention means training, education, access to the right kind of treatment, and more.

“Those are expensive challenges,” said Phil Crowell, Auburn city manager. “I question the sustainability of [municipalities] being able to pay for them.”

He said a collaborative effort among municipalities and governments may be the answer.

Crowell was with the Auburn Police Department for 25 years, the last 12 as

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chief, before becoming assistant city manager in 2018, then city manager in early 2020. He recognizes first-hand how far everyone has come in understanding what stress and trauma can do to first responders.

“We hadn’t done a great job over the years,” he said. “But in the last 10 years, we’ve gained a lot of ground.”

With that new awareness, Crowell said, comes responsibility to take action. That starts with education – letting first responders know it’s all right to talk about stress, trauma, and mental health without fear of losing their jobs or not getting the next job. Intervention, resources, and treatment are also key.

Providing that, however, increases the financial burden on municipal governments. Crowell said, in addition, a major issue in many communities is that firefighters may work for more than one municipality. For instance, a full-time Auburn firefighter may also work part-time, or volunteer, for a nearby town. In those cases, the full-time employer pays the workers’ compensation claim, even though the work in the other community may have contributed to the firefighter’s PTSD.

“You really can’t pinpoint it,” he said. A more collaborative approach, for instance a statewide fund to pay claims, might help offset those issues.

Looking at the increased costs for intervention, training and more, “Right now we need a response from that state.”

Getting Ahead of the Issue

Biddeford is one municipality that’s ahead of the curve on early intervention, forging a structure that began with law enforcement, but now includes city staff.

In the most recent police contract, officers are required to have a yearly check-in with a mental health practitioner. City Manager Jim Bennett said the check-in not only can catch issues before they snowball, but also gives the officers a go-to person if a crisis arises.

“If you haven’t been seeing a dentist and you get a toothache, it can take four or five weeks [to get treatment],” he said. Having a relationship with a clinician is to an employee’s mental health what regularly seeing a dentist is to that toothache, he said.

Non-union staff, department heads,

and even Bennett himself, are now also required to have a yearly check-in. The city is also looking at strengthening fire department peer support, adding resilience training for first responders, and more.

Bennett, who in his younger days was a volunteer firefighter and EMT, said it made sense to expand the requirement beyond first responders. “The past two years have been incredibly, incredibly difficult for everyone involved in local government,” he said.

He said changing awareness of PTSD and willingness to talk about it has helped the effort. He wouldn’t have been comfortable proposing the program 10 years ago, he said. “And I would not have been in a place where I would feel comfortable myself [participating].”

Next Step - Consistency

Since that lightbulb flash nearly two decades ago that made the connection between PTSD and issues firefighters were having, the firefighters union has created and has expanded its Behavioral Response Program, which includes not only Davenport Dakin

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as its head, but more than 40 trained peer-to-peer counselors throughout the state, a list of providers to share with members who are looking for help, and a connection with the International Association of Fire Fighters (IAFF) parent organization's in-patient clinic in Maryland.

He said that recognition is growing that PTSD is like a heart attack or broken leg. "It's an injury," Crouse said. "We're taking it pretty serious, and we've seen the stigma slowly going away."

Training for firefighters and EMS personnel goes beyond peer counselors. "We're getting into the fire stations to train members on resiliency and being prepared for the problems they're going to experience."

He said the next step is consistency – the IAFF and Maine EMS have been meeting monthly in a group that also comprises clinicians, firefighters, paramedics, and other stakeholders to identify resources for training, therapists who are trained on PTSD issues, and more. The aim is for a statewide program with all the resources in one place and redundancies eliminated for a consistent standard of care. The program wouldn't just be for professional firefighters, but also volunteers, paramedics, EMTs, dispatchers, law enforcement and correctional department members.

"We recognize, we all have recognized, that right now it's a scattered approach – all well-intended – and now we just have to find a way to bring those resources together and come up with a solid plan that everybody can get behind and administer consistently so the standard of care for all the first responders are there," Crouse said.

Working with municipalities on providing training early is also im-

portant, he said. He acknowledged that most municipalities are in a budget crunch. "Funding a local budget for fire and police, it's an expensive proposition on its own, and everyone's fighting for every nickel and dime and all the sudden we're interjecting a behavioral health disorder that needs to be corrected. It's taken us some time to convince the leadership locally that it's time to start investing in the employees and diagnosing and treating this stuff early on."

In Biddeford, Bennett said, the proactive approach comes with costs, but in the long run will save money, and also has bigger payoffs.

He said it takes years to train a firefighter, law enforcement officer or EMS. "There's a lot of money invested," and losing personnel because of circumstances like PTSD is costly.

But more important, "It's the right

thing to do for employees," he said, not only to provide the care but to make sure they know they can get support in a safe, non-judgmental way and not jeopardize their jobs.

Crouse said that while he represents that state's professional firefighters, the group he's working with is focusing on all first responders. He said more municipalities are following Biddeford's lead and getting involved, providing money for training and treatment, "but it's like everything else – first come, first-served for priority on the budget."

But in the long run, he said, money – and lives – could be saved. He said that in many cases, those who are diagnosed and treated early can return to the job. "More people are getting resources and more people are getting help. PTSD or behavioral health disorders are not a death sentence." ■

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COVID-19 Silver Linings

For many communities, the pandemic required the adoption of more modern technologies to get the job done. While implemented out of necessity, the changes made have had lingering positive impacts, including an increase in public engagement.

By Janine Pineo

When COVID-19 shut down the state in early 2020, municipalities across Maine had to address how to do business differently, scrambling to protect employees and residents while carrying on the necessary work to keep the lights on.

Two years later, some of those changes made during the first few months of the pandemic continue to be useful tools, even as other issues emerge as new challenges. *Maine Town & City* spoke with officials in five municipalities about their communities and how they have adapted in this changed landscape.

Biddeford

York County

Population: 22,552 in 2020

Surfacing as what may be a long-term challenge for municipalities statewide is the employee shortage that Maine began experiencing across industries last year. The reaction by businesses was to hike wages in a bid to entice people away from lower-paying jobs.

Biddeford City Manager Jim Bennett sees that as a no-win situation for Biddeford as an employer. The city employs about 225 people full time.

He estimated that to be competitive in this job market, a \$5 raise would cost the city an additional \$3.75 million in payroll.

“That’s not a sustainable model for us,” said Bennett, who presented those numbers recently to the City Council.

The proposal? Switch to a four-day workweek.

The city can compete on aspects other than pay, Bennett said, and a four-day workweek is one idea that is taking shape. “We’re really looking at that,” he said. The retention and recruitment issues are “going to be around for a



Georgetown has adopted the use of a tent for its annual town meeting.

while,” adding that “you can’t always throw money at [a problem].”

What that would look like is now under consideration. Bennett met with staff in mid-April, and in late April and early May, the plan was to take the issue back to the personnel committee. The old argument is that “we have to be open,” he said, but in March 2020, that flew out the door.

Bennett said the city may not take the plunge fully into a four-day week but may try it out for the summer, setting up three-day weekends and possibly opening earlier in the morning. “Do a pilot around it,” he said. “There definitely will be changes.”

The goal is to make Biddeford more of a workplace for employee retention. “I actually think those are all really

good things,” Bennett said.

Another sea change for the city is already under way for its first responders and is now part of the police contract.

“We have moved to normalizing mental health care,” Bennett said. The city now mandates that every police officer must have an annual mental health check-in. Not only the union members, he said, but the department heads and he, himself, are required to see a mental health provider.

“When you’re in trouble, it’s not the time to be looking for a provider,” he said. “I found it pretty insightful for myself.”

Bennett is now working on a similar plan for the fire department.

Another goal is training, Bennett said, specifically mandatory resilience

Janine Pineo is a freelance writer from Hudson and regular contributor to Maine Town & City, jepineo@gmail.com.

training, which helps people cope with stress and adversity.

“We’re being very pro-active,” he said.

Standish

Cumberland County

Population: 10,244 in 2020

One of the major hurdles municipalities faced from the start of the shutdown was how to handle meetings safely and still have them accessible to the public. Temporary legislation offered towns and cities the ability to use internet meeting platforms, a method that became widely adopted.

Standish turned to equipment and technology to meet its needs when the pandemic shut down normal operations. The town purchased three 65-inch televisions, installing two of them in the council chambers, said Scott Gesualdi, Standish finance director and interim town manager.

The third TV was for the big meeting room, he said.

Gesualdi said they then were connected to the cable TV system for livestream broadcast of meetings.

As the state’s initial policy came to an end last year, new emergency legisla-

tion allowed remote/hybrid meetings to continue if a municipality adopted a written policy following a specific set of requirements. Standish did just that so it could continue to use the remote option as outlined in the new legislation.

Gesualdi said the council likes in-person meetings as opposed to the remote/hybrid type. Use of a remote platform is for the councilors, he said, with the public not given access to the Zoom platform. However, the livestream of meetings is available for the public via Saco River Community Media, which broadcasts for six towns.

One of the challenges, Gesualdi said, is that the technology requires someone to monitor it, because trying to hold a meeting while running and monitoring the technology is impossible. Standish does have one person who’s been doing that for them, although when that individual had a break, he said, there was a scramble.

The town also will be keeping in place the protective barriers in the town office. “COVID really pushed us to do it,” he said.

Even before the pandemic, there was concern about safety because of staff

handling money, Gesualdi said, so the clear barriers continue to cover both health and safety issues.

Georgetown

Sagadahoc County

Population: 1,058 in 2020

“We had some major growing pains,” said Amanda Campbell, administrative assistant to the Georgetown Select-board.

Those early days of using the Zoom platform for meetings challenged the town, which also struggled to find a large enough space to meet social distancing guidelines. Campbell, who was town clerk in March 2020, said, “Just like everybody else, we really didn’t have any other choice.”

Once officials figured out a plan, Campbell said, more people began to participate, more than there ever had been for meetings pre-pandemic. It started with a need to know, she said. “I think it triggered a desire to continue to know.”

Now, Campbell said, there consistently are seven or more members of the public who come virtually. And she said that a couple of municipal officials



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have health concerns, and this option allows them to continue to serve their community with less exposure to COVID-19.

The town is addressing some of the challenges posed during the past two years. One is space for board meetings, with the plan to use funds from the American Rescue Plan Act to renovate a building the town owns.

Another is internet capability. Georgetown struggled with “pathetic internet” during Zoom meetings, Campbell said. “We literally have to tell everyone to shut off their cameras.”

The town is on track to have fiber broadband service by the end of June after a push by a handful of investors in late 2020.

With that, Campbell said, part of the building renovation plan is for it to “become this technologically savvy space” to make it better for hybrid meetings.

Another solution that will be used again is an open-air tent under which to hold town meetings. Campbell said more people attended and its popularity has led to the board voting to continue the practice.

Georgetown was among the surge of municipalities signing up for Rapid

Renewal in 2020. The online service offered by the state allows residents to renew registrations but only if the municipality has joined. Just over half of the state’s municipalities had signed on to the service in early 2019, which historically averaged a dozen or less signups a year.

In 2020, several dozen added Rapid Renewal to their roster and now the

total stands at over 320 municipalities.

Town Clerk Alexandra Kelley said there are some pitfalls with the Rapid Renewal service, including that the town loses the clerk fee levied when a resident pays in person at the town office. She estimated that the town loses \$100 to \$200 per month in fees.

Kelley said she also can’t help a resident if something goes wrong because



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the TRIO system the town uses doesn't access the Rapid Renewal system.

"We also still do our drop box method," she said, which allows residents to pay their registrations in person but without having to come inside the building.

Vinalhaven

Knox County

Population: 1,279 in 2020

Like other municipalities, Vinalhaven went more online during the past two years.

"Our board adopted a policy to allow them to be remote if need be," said Andrew Dorr, Vinalhaven town manager. At first, the town used Zoom for all its meetings, opting to send the live feed to its Facebook page from the Zoom platform.

Pre-pandemic, a couple of residents would attend meetings, but those numbers went up with the Facebook feed. "It was nice to know more people were tuning in," he said.

Vinalhaven signed up for Rapid Renewal in 2020, a move made easier because the town had begun to accept credit cards just before (Rapid Renewal can be set up using only electronic checks as payment).

What might be harder to quantify is the effect of sharing information regularly and purposefully. Dorr said in the beginning, there were almost daily updates and meetings held a couple of times a week.

"We started sharing a lot more information," he said. "We were just trying to put a familiar face on."

Building trust was important, he said, especially that the town's health officer was a provider at the health clinic on the island. "That may have been their primary care provider," he said.

"We did see ourselves in a better — vulnerable — but better way," Dorr said.

The challenge for the town now? "How do we keep them engaged in other things coming up?" Dorr asked.

Calais

Washington County

Population: 3,079 in 2020

Online meeting access has been adopted in Calais.

City Manager Mike Ellis said while the City Council has held in-person meetings throughout the pandemic and had to change venues across the city to meet social distancing restrictions, there was only a "nominal" increase in in-person attendance.

When the city added online access using Zoom with a Facebook feed, attendance spiked. "We also offer a Zoom option on the city website prior to all our public meetings that was not in place prior to the pandemic. The public can participate if they are on Zoom," he said.

"We typically have between 15 to 20 in attendance for our council meetings, with anywhere from 80 to 125 Facebook views," Ellis said. "For all the hardships this pandemic has caused, at least it's nice to see more civic engagement." ■

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ABOUT RAPID RENEWAL

Interested in more about the Rapid Renewal process for your residents? Dan Andrews is general manager of NIC Maine, a subsidiary of Tyler Technologies. Here's how he said the process works:

A town clerk will email or call NIC Maine and request to sign up. NIC Maine is the provider that staffs and operates InforMe.

NIC Maine will provide the standard contract paperwork for the town outlining things like fund flow and responsibilities, including accurate and timely registration file uploads to the system. Once paperwork is signed, NIC Maine completes a training and assists the town with conducting a test transaction. After funds are deposited into the town account for the test transaction, the town is enabled and residents can complete renewals.

The initial training and initial upload of data process takes approximately two hours. After that, the town does have a responsibility to upload and download data each month, but that typically results in less than two hours of work per month.

There are no costs to use the service from NIC Maine.

Some municipalities utilize additional modules for financial tracking. These modules are available from various vendors, including Tyler Technologies, and help to simplify the upload and download process. If a municipality selects additional modules, those are provided as an additional annual cost from the vendor. If the town does not opt for an additional financial tracking module, they can still participate in the online service by uploading spreadsheets of registration data. For renewals processed through Rapid Renewal, NIC Maine acts as the municipal agent and receives the statutory agent fee.

TRAINING OPPORTUNITIES

MAINE MUNICIPAL ASSOCIATION & AFFILIATES/AT-A-GLANCE 2022 TRAINING CALENDAR

MAY

5/3	Tues.	Developing Solutions on Hotly Contested Issues (NEW!)	Portland - Clarion Inn	MMA
5/4-5	Wed.-Thurs.	MTCCA Athenian Dialogue: Eat, Pray, Love	Zoom Meeting	MTCCA
5/6	Fri.	Full Speed Ahead: The Present and Future of Municipal Broadband (Sponsored by Preti Flaherty)	Zoom Webinar	MMA
5/10	Tues.	Planning Board/Boards of Appeal	Bangor - Cross Insurance Center	MMA
5/12	Thurs.	MMTCTA Annual Conference	Bangor - Hilton Garden Inn	MMTCTA
5/16, 17 & 18	Mon.-Wed.	MCAPWA Supervisory Leadership in Public Works Program - Part II	Augusta - City Center Plaza	MCAPWA
5/18	Wed.	MAAO Board of Assessment Review <i>(with video conference to Caribou - Northern Maine Development Commission)</i>	Augusta - MMA	MAAO
5/23-24	Mon.-Tues.	MBOIA Code Conference	Sebasco - Sebasco Harbor Resort	MBOIA

JUNE

6/2	Thurs.	MCAPWA Highway Congress	Skowhegan - Skowhegan Fair Grounds	MCAPWA
6/9	Thurs.	New Managers Workshop	Augusta - MMA	MMA
6/14	Tues.	MMTCTA Cash Management Workshop	Augusta - MMA	MMTCTA
6/16	Thurs.	Municipal Human Resources & Management Conference	Waterville - Thomas College	MMA
6/21	Tues.	MTCCA Licensing Workshop	Augusta - MMA	MTCCA
6/23	Thurs.	MEGFOA Spring/Summer Training Workshop	Augusta - Senator Inn and Zoom Webinar	MEGFOA
6/29	Wed.	Elected Officials Workshop	Presque Isle - The Northeastland Hotel	MMA

JULY

7/12	Tues.	MMTCTA I've Got the Job - What Now? Workshop	Augusta - MMA	MMTCTA
7/13	Wed.	MTCCA Municipal Law for Clerks	Augusta - MMA & Zoom Webinar	MTCCA
7/14	Thurs.	MBOIA Training & Membership Meeting	Augusta - MMA	MBOIA
7/21	Thurs.	MFCFA Membership Meeting/Networking Luncheon	Hope Fire Station	MFCFA
7/27	Wed.	ViolenceProof: Workplace Violence Prevention & Survival (NEW!)	Augusta - MMA	MMA

AUGUST

8/3-4	Wed.-Thurs.	Athenian Dialogue: The Zookeeper's Wife	Zoom Meeting	MTCCA
8/10-12	Wed.-Fri.	MTCMA 76th New England Management Institute	Carrabassett Valley - Sugarloaf Mountain	MTCMA
8/18-19	Thurs.-Fri.	MMTCTA Governmental Accounting	Orono - Black Bear Inn	MMTCTA
8/25	Thurs.	Planning Board/Boards of Appeal	South Portland - DoubleTree by Hilton	MMA
8/31	Wed.	Understanding the Freedom of Access Act	Augusta - MMA & Zoom Webinar	MMA

TRAINING OPPORTUNITIES (cont'd)

SEPTEMBER

9/7	Wed.	MTCCA Voter Registration	Bangor - Cross Insurance Center	MTCCA
9/8	Thurs.	MTCCA Title 21A - State Election Law	Bangor - Cross Insurance Center	MTCCA
9/8	Thurs.	MMTCTA Payroll Law	Waterville - Waterville Elks Club	MMTCTA
9/8	Thurs.	Verbal Judo for First Responders (NEW!)	Augusta - MMA	MMA
9/9	Fri.	Verbal Judo for the Contact Professional (BACK BY POPULAR DEMAND!)	Augusta - MMA	MMA
9/9	Fri.	MCAPWA Golf Tournament	Cumberland - Val-Halla	MCAPWA
9/15	Thurs.	MTCCA 27th Networking Day & Annual Business Meeting	Waterville - Waterville Elks & Banquet Center	MTCCA
9/20	Tues.	MTCCA Vital Records	Augusta - MMA	MTCCA
9/22	Thurs.	MBOIA Training & Membership Meeting	Portland - Clarion Inn	MBOIA
9/28-30	Wed.-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO

OCTOBER

10/5-6	Wed.-Thurs.	86th Annual MMA Convention	Bangor - Cross Insurance Center	MMA
10/11	Tues.	MTCCA Voter Registration	Augusta Civic Center	MTCCA
10/12	Wed.	MTCCA Title 21A - State Election Law	Augusta Civic Center	MTCCA
10/20	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Orono - Black Bear Inn	MMTCTA
10/20	Thurs.	MEGFOA Fall Training Workshop	Augusta - MMA	MEGFOA
10/25	Tues.	Labor & Employment Law	Augusta - MMA	MMA
10/25	Tues.	MBOIA & Fire Marshal's Office Training	Portland - Clarion Inn	MBOIA
10/26	Wed.	MBOIA & Fire Marshal's Office Training	Brewer - Jeff's Catering	MBOIA
10/27	Thurs.	MBOIA & Fire Marshal's Office Training	Waterville - Waterville Elks Club	MBOIA
10/28	Fri.	MBOIA & Fire Marshal's Office Training	Waterville - Waterville Elks Club	MBOIA

NOVEMBER

11/3	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Augusta - MMA	MMTCTA
11/22	Tues.	Advanced Excel training	Augusta - MMA	MAAO
11/30	Wed.	Navigating the Legal Marijuana Landscape	Zoom Webinar	MMA

DECEMBER

12/7-8	Wed.-Thurs.	Athenian Dialogue: First In, First Out	Zoom Meeting	MTCCA
12/8	Thurs.	MBOIA Training & Membership Meeting	Lewiston - The Green Ladle	MBOIA
TBD	TBD	MMTCTA Small Claims Workshop	TBD	MMTCTA
TBD	TBD	MTCMA/MMANH Joint Workshop - Leadership Exchange	New Hampshire	MTCMA

Online registration is easy!

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

Who to contact: 1-800-452-8786 or (207) 623-8428

MMA Educational Events & Affiliate Training Staff:

Alicia Stokes Gaudet, Manager, Educational Servicesx2304
 Cynthia Fortier, Training & Affiliate Groups Office Coordinator.....x2297
 Melissa White, Affiliate Liaisonx2299

Special Notice: In light of the ongoing public health pandemic, some in-person events, facilities and/or locations may be subject to change. Please be sure to check the MMA website for regular updates. As we resume in-person trainings, MMA and our Affiliate Groups will strictly adhere to all CDC and State of Maine guidelines and requirements regarding COVID-19, which may include appropriate social distancing, masking, food service/preparation precautions, among others. If you have any questions, please feel free to contact training@memun.org.

PEOPLE

Amy Bernard is the new Franklin County administrator after serving as Newry town administrator since December 2015 while also serving on MMA's Legislative Policy Committee. Previously, she managed the Town of Paris for three years and the Town of Wayne for four years. Bernard earned a bachelor's degree in political science and history from the University of Maine at Farmington and a master's degree in public administration at the flagship University of Maine at Orono.



Carol Buzzell

Carol Buzzell has started her new job as manager of the Town of Greene. It was a homecoming when she took the job, having been born and raised in the town of 4,500. Buzzell has

worked as deputy town clerk and town clerk in Canton after working nearly 20 years as Greene assistant town clerk. Buzzell said when she saw the job opening, she decided "it was time to go home." Her rapport with Greene select board members and deep knowledge of the community made her an easy choice for the job, officials said. Her position will include work as town clerk, treasurer, tax collector, emergency management director, road commissioner and registrar of voters. She replaces **Darlene Beau-lieu**, who retired in April.

Regional School Unit 4 (RSU 4) superintendent, **Andrew Carlton**, has been named Gardiner city manager following a year-long search to replace **Christine Landes**. Officials said Carlton was among three candidates in the most recent search effort and was the only one interviewed for the job. A resident of Fairfield, Carlton has worked as RSU 4 superintendent since 2017. He is scheduled to start his new job on June 6. Carlton, 41, grew up in western Maine and graduated from the University of Maine at Farmington. He earned a master's degree in education from the University of Phoenix. He is a former special education director, curriculum director and assistant principal. **Anne Davis** has served as interim manager during the search.

The Houlton Town Council has named **Kimberly Denbow** the town's new treasurer, filling a job that's been vacant for many months. Most recently, she has worked for the County Federal Credit Union in Houlton after serving 16 years as an accountant at the Defense Finance and Accounting Service at the former Loring Air Force Base in Limestone.

Lawrence "Larry" Gordon, who served Wiscasset as selectman through three decades, died in April. In addition to his work as chairman of the select board for 21 years, he served the town as a volunteer firefighter for 60 years. He retired from public service when the Maine Yankee Nuclear Plant was shuttered in 1998. Fast forward to 2017, when voters elected him to finish out a five-month term on the select board. Throughout the 1960s and 1970s, Gordon oversaw the construction of a new municipal building, that also housed the police and fire departments, waterfront improvements and reconstruction of Main Street and secondary roads. He was a founding member of the town's ambulance service.



Sharon Picard

Sharon Picard has been named director of the Madawaska Parks and Recreation, while **Elaine Thibeault** has been hired as program coordinator. Picard was chosen for her vast experience and knowledge in college programming, most recently Meredith College in Raleigh, N.C., where she worked as assistant to the vice president to plan trips, campus activities, and ceremonies.



Elaine Thibeault

Picard will also bring new concepts to her work, including how to meld and expand programs for the young and old alike. She attended the University of Southern Maine and the Kennebec Valley Community College. Thibeault, meanwhile, was Picard's first hire. She was praised for her involvement with community and recreational activities, volunteering, and for her compassion and caring. She most recently worked for the area school district. Thibeault will

coordinate both existing and new programs for the department.

Twila Lycette has retired as Lisbon town clerk after 35 years. A newly-retired husband and a new home were among her reasons for ending her long public service career in April. Lycette said she is proud of her work to restore and preserve town vital records, such as births, deaths, and marriages. She was praised for her patience, outstanding customer service and willingness to help residents regardless of how busy she might be. Lycette said she would miss the work and the interaction with both staff and the public.



Dana Rice Sr.

Gouldsboro Harbormaster **Dana Rice, Sr.** will retire after the June town meeting following 40-plus years of overseeing the town's six harbors. He has supervised boaters and moorings along the second largest continuous shoreline in Maine. The harbormaster's job has always been unpaid; Rice earns a living as a lobster dealer. He met with the budget committee in March and recommended \$20,500 be allotted for his successor. Rice has overseen the town wharf and harbors, which accommodate 175 commercial fishing boats and pleasure craft, among his other duties. Just as the fisheries industry has changed dramatically over the decades, Rice must deal with a growing amount of paperwork – which he does by hand. He has recommended the new harbormaster establish a computerized system for efficiency, as well as for tracking and adjusting moorings.

Belgrade Town Manager **Anthony Wilson** has resigned to take the job of director of communications and operations for 7 Lakes Alliance, a Belgrade-based nonprofit that focuses on protecting and preserving the chain of seven lakes and the woodlands that surround them in the Belgrade area. The alliance's work includes protecting lakes in surrounding towns such as Rome, Sidney, and Mount Vernon. Wilson is scheduled to step down effective May 31. He wanted to give the town council time to find his replacement.

NEWS FROM AROUND THE STATE

STATEWIDE

Tourists spent lots of money in Maine last year – more than before the pandemic and despite only half the traffic. Early signs for this year point to a booming tourism season. The Maine Office of Tourism report released last month showed that in 2021 travelers spent \$7.8 billion – \$1.4 billion more than in 2020. The state drew 15.6 million tourists compared to 37.4 million in 2019. Last year's impressive comeback is credited to relaxed safety rules for the still-circulating COVID-19 virus. The border with Canada also was closed and officials expect the rules that were relaxed late last year will bring a stream of tourists to the state this summer. Meanwhile, Mainers spent \$1.3 billion on overnight jaunts to popular Maine sights last year – 10 times more than in 2019.

STATEWIDE

Maine residents who still live in areas where broadband doesn't meet minimum standards for service can expect some improvements this year. The state is set to receive \$500 million from various sources to help cover some of the 78,000 locations that lack adequate service. Federal and state money will be used and awarded in part by the Maine Connectivity Authority, created by the Legislature and Gov. Janet Mills in 2021, in conjunction with ConnectMaine. Lawmakers and Mills say expanding broadband is essential to state growth and its future. Some of the funding has already been used, while more will filter down to communities and projects in the fall and next spring. The largest chunk of financing will come from the U.S. Treasury Department, which has budgeted more than \$128 million in American Rescue Plan Act (ARPA) funds, part of a national program to help states through the COVID-19 pandemic, which has largely waned. Maine also will use \$100 million from last year's federal infrastructure bill to achieve broadband equity, access, and deployment, representing the largest investment in broadband infrastructure.

If your municipality submits a news item for the *Maine Town & City*, consider sending a corresponding photo to:
Sue Bourdon: sbourdon@memun.org
or **Kate Dufour:** kdufour@memun.org

BREWER

The city's planning board last month approved a 12-acre solar array, making it the fifth solar project approved since December 2020. Solar power is growing both in number of projects and increasing public concern. The latest array will be placed behind Lowe's Home Improvement. The first project was a five-megawatt array, followed by a one-megawatt project. The third approved project is supposed to generate five megawatts of power and the fourth will produce one-megawatt. Only one of the five projects is under construction, but the number of projects statewide continue to climb. Some solar projects are being proposed by companies that specialize in green power technology, while others are cropping up on farms and other businesses.

COLUMBIA FALLS

The family known for its Wreaths Across America annual endeavor is planning to plant the tallest flagpole on earth on its Washington County land. The immense \$1 billion project is envisioned as "part national monument, part historical adventure, part immersive tech-driven museum, and part architectural wonder," according to the Bangor Daily News. The apolitical "Flagpole of Freedom Park" would include a 1,461-foot-tall observation tower, where a flag larger than a football field will fly. It also will feature miles of veteran memorial walls, six history museums and amenities such as hotels, shops, restaurants, and an event venue. The family is funding the project privately. It has received mixed reviews, but supporters are enthused about the project.

GORHAM

The town has secured a \$1 million federal grant to begin expanding its industrial park. The money will be used to build a quarter-mile long road to the Gorham Industrial Park West. The town purchased a 141-acre parcel west of the park and hopes the expansion will lead to a larger tax base and create new jobs. Voters in 2019 authorized the purchase of two lots for \$4 million and another \$1.9 million to pay for infrastructure for the park. The land has been divided into lots for various future businesses and one lot is already on the market. The state still must approve the plans.

LUBEC

This time Lubec is the victim of theft of street signs – 30 of them along with some poles. The town has done two things: budgeted \$2,000 to replace the signs and have offered a \$500 reward for information about potential culprits. Some rectangular signs were stolen, as well as stop signs. Officials said the thefts affect emergency responders' ability to quickly find their destinations. Officials suspect troublesome kids or aluminum collectors took the signs.

ROCKLAND

To help the environment and allow pollinators to clean their plates, the city council in March endorsed an initiative known as "No Mow May." May is a critical time for bees to eat from dandelions and other wildflowers that grow in front and back yards. The initiative was started in the U.K. in 2019 and has been adopted in some American cities and towns. Officials said by doing nothing, people would be doing something for the ecosystem and the overall environment. The initiative is new, but conservationists haven't been mowing in May for decades.

SEARSPORT

After four years of effort, bid specifications will go out in June for a \$13 million modern wastewater treatment plant that will function as a second treatment system before water is dumped into Penobscot Bay. The town has amassed the money needed after a long effort: \$4.8 million from a USDA grant; a \$1.6 million USDA loan; a \$1 million grant from the Northern Border Regional Planning Commission; and the remainder from the state. The town must repay the \$1.6 million loan. Officials hope the new plant can be completed by year's end. Searsport's wastewater treatment system serves 630 homes.

WASHBURN

The town will receive a \$750,000 federal grant to build a new public safety facility after U.S. Sen. Susan Collins toured the current 100-year-old building and then secured the funding as part of an overall national infrastructure law. The existing Washburn public safety building is too small to help the department modernize and improve services, as well as house a tanker truck.

LEGAL NOTES

Candidates' Titles on Ballots

We're sometimes asked if a candidate's title, such as "Dr." or "Mr." or "Ms.," or educational credentials, such as "MBA" or "PhD," can be included on a pre-printed ballot. The short answer is no, titles are not permitted on pre-printed ballots per 21-A M.R.S. § 601(2)(B), which expressly prohibits them. This provision is made applicable to municipal ballots by 30-A M.R.S. § 2501.

In general, only a candidate's given, legal name may be printed on a ballot, unless (1) a different name has been approved by Probate Court order or (2) it is the name (a "nickname") consistently used by the candidate for the past two years in filings with governmental agencies and in the transaction of public business (see 21-A M.R.S. § 601(2)(B-1)).

Applicable filings and transactions include voter and motor vehicle registrations; drivers' licenses; passports; professional licenses; local, state, or federal permits; public benefit programs; veterans' benefits; and social security. Because most people who go by nicknames still use their given, legal names in these types of filings and transactions, most nicknames will not qualify for this exception.

We should note that although titles and most nicknames are not allowed on pre-printed ballots, they may be used for a write-in vote provided the voter's intent is clear and the voter has marked the write-indicator or "box" (see 21-A M.R.S. § 696).

We also note that whether a candidate uses a title or nickname in campaign materials or while campaigning is not governed by any law and is therefore entirely up to them.

For more on preparation of ballots, see Chapter 9 of MMA's *Town Meeting & Elections Manual*, available free to members at www.memun.org. (By R.P.F.)

Contractor Insurance: What We Recommend

Any municipal contract for services such as the construction, maintenance, or repair of roads, buildings, or grounds should include a requirement that the contractor maintain liability insurance coverage for the duration of the contract and for two years thereafter, since the statute of limitations for claims under the

MUNICIPAL CALENDAR

MAY 30— Memorial Day, the last Monday in May is a legal holiday (4 M.R.S. § 1051). Municipal officers shall direct the decoration of veterans' graves. (30-A M.R.S. § 2901).

ON OR BEFORE JUNE 15 — Monthly/quarterly/semi-annual expenditure statement and claim for General Assistance reimbursement to be filed via online portal or sent to Department of Health and Human Services, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311; DHHS regulations).

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

Maine Tort Claims Act (MTCA) is two years (see 14 M.R.S. § 8110).

This coverage should include, at a minimum, general comprehensive liability insurance and, if motor vehicles are involved, automobile liability insurance. The amount of coverage should be at least \$400,000 combined single limit, which is the limit on damages that may be awarded under the MTCA (see 14 M.R.S. § 8105(1)).

If the contract includes architectural or engineering services, it should also require the contractor to maintain professional liability insurance. In addition, if the project is particularly expensive, the municipality should explore requiring project insurance, which is professional liability insurance for that project alone; otherwise, claims by other clients against the architect or engineer could easily exceed the \$1 million liability limit that most professional policies carry. Ideally, professional liability coverage should remain for 10 years after substantial completion of the project since that is the statute of limitations for claims for design services (see 14 M.R.S. § 752-A).

If the contractor has employees, the contract should also require the contractor to maintain workers' compensation insurance or to self-insure as required by law (see 39-A M.R.S. § 401).

All of these insurance coverages, except for workers' compensation, should be required to name the municipality and its officers, agents and employees as additional insureds. Since no one other than the employer can be a named insured under a workers' compensation policy, the municipality should require

the contractor's workers' compensation insurer to provide a waiver of subrogation rights against the municipality so that the insurer cannot make a claim against the municipality for reimbursement of a pay-out made by the insurer.

The municipality should require evidence from the contractor, in the form of insurance certificates, of all insurance coverages required by the contract before the authorized municipal signatories execute the contract. The contract should also require substantial prior notice of any cancellation, termination, expiration, or material modification of any insurance coverage.

Finally, the municipality should review the contract's insurance coverages with the municipality's own insurer(s) to make certain there are no unforeseen gaps in coverage.

For more on what we recommend as well as what is legally required for municipal contracts for services, see MMA's "Information Packet" on this subject, available free to members at www.memun.org. (By R.P.F.)

Ordinances & Regulations Versus Policies & Bylaws

Question: What's the difference between ordinances and regulations, on the one hand, and policies and bylaws, on the other?

Answer: There are a number of differences, actually.

Although none of these terms is expressly defined by statute, an "ordinance," generally speaking, is a local law enacted to regulate or prohibit some specified

LEGAL NOTES

use or activity within the municipality. Ordinances are generally enacted by the municipal legislative body (the town meeting or, by charter, the town or city council), although certain types of ordinances (for example, traffic and parking ordinances, cable television ordinances, and general assistance ordinances) may be enacted only by the municipal officers (select board members or councilors). Provided they have been properly enacted and are otherwise lawful, ordinances may be enforced by court action, that is, by the municipality filing suit against the violator in a state court with legal jurisdiction. In Maine, ordinance violations are civil offenses punishable by civil penalties, including court fines and court orders but not imprisonment.

A "regulation" is similar to an ordinance in that it, too, has the force and effect of law and may likewise be enforced by court action. But municipalities do not generally adopt regulations, at least by that term, except where expressly authorized by statute to do so. Two examples of this are road weight limits, which may be adopted by the municipal officers as rules or regulations, and subdivision regulations, which may be adopted by a planning board absent a subdivision ordinance.

A "policy" is different from an ordinance or regulation. While ordinances or regulations are externally focused and govern the general public at large, policies are internally focused and provide procedures or protocols for the municipality itself. For example, the municipal officers may adopt a personnel policy governing the rights and obligations of municipal employees, or an ethics policy governing the conduct of municipal officials, or a municipal investment policy. A policy is generally not enforceable by court action but rather by some sort of disciplinary action, often specified in the policy itself.

"Bylaws" are unlike ordinances or regulations, or for that matter policies. (In some states, "bylaw" or "by-law" is a synonym for ordinance, but not generally in Maine.) Bylaws are typically rules of procedure for governing the conduct of a board meeting. Bylaws are usually adopted by the board itself, although in some instances board bylaws or rules of procedure are prescribed by municipal

charter or ordinance. In any case, like policies, bylaws do not have the force or effect of law and cannot be contrary to or inconsistent with applicable laws. Bylaws are also generally not enforceable except by the board itself, which may waive them under special circumstances if authorized by the bylaws.

For more on this general subject, see Chapter 4 of MMA's *Municipal Officers Manual*. For more on ordinance enactment procedures, see our "Information Packet" by that title. For more on personnel policies, see our "Information Packet" by that title. And for more on board bylaws, see our "Information Packet" by that title. All of these publications are available free to members on MMA's website (www.memun.org). (By R.P.F.)

Town Meetings by Referendum

Question: Historically we've always adopted our annual budget and conducted other town business by the traditional "open" town meeting method. But is the option of a secret ballot referendum election available to us instead of a traditional town meeting?

Answer: Yes, it is, if you already elect your select board and school board members by secret ballot election pursuant to 30-A M.R.S. § 2528. This is because, by accepting the secret ballot voting provisions of § 2528 for the election of these (and possibly other) officials, your town has also accepted the secret ballot provisions of § 2528 for the conduct of referendum elections. These other provisions (namely § 2528(5)) authorize the municipal officers (select board), at any time and in their discretion, to call a referendum election for any town business instead of a traditional town meeting. No further authorization or consent is required from the voters.

Thus, if you already elect select board and school board members by secret ballot, the municipal officers already have full authority, at their option, to call for a referendum election instead of a traditional annual or special town meeting.

But if you do not already elect select board and school board members by secret ballot, the option of a referendum election instead of a traditional town meeting is not available until a town meeting has voted to accept the secret ballot voting provisions of § 2528 for the

election these officials. This vote must occur at a town meeting held at least 90 days before the annual town meeting at which it is to take effect. Once effective, this vote also authorizes the municipal officers, at their option, to call referendum elections instead of traditional town meetings (see above).

For the record, we note that in order to mandate that all town business be conducted by secret ballot referendum election, there would have to be a municipal charter requiring it (see "Charter Required for All-Referendum Voting," *Maine Townsman*, Legal Notes, October 2012).

Also, we remind readers that no remote participation (via Zoom, for example) and no absentee or proxy voting is permitted at a traditional town meeting; voters must attend in person to participate.

Secret ballot voting has its advantages, including generally larger voter turnouts and the availability of absentee voting, but it also requires more careful planning and a much longer lead time (at least 60 days), among other things. For full details on planning for and conducting secret ballot elections, see MMA's *Town Meeting & Elections Manual*, available free to members at www.memun.org. (By R.P.F.) ■

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MAINE MUNICIPAL BOND BANK

2022 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	2
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			

Monday, August 1st – Application Deadline

Wednesday, August 24th – Application Approval (Board Meeting)

Wednesday, September 14th – Preliminary opinions and loan agreements due from bond counsel of each borrower

Friday, September 15th – Last date for signing school contracts and rates in place for water district. PUC approvals due

Week of October 3rd – Maine Municipal Bond Bank Pricing

Monday, October 24th – Final documents due from bond counsel

Wednesday, November 2nd – Pre-closing

Thursday, November 3rd – Closing – Bond proceeds available (1:00pm)

If you would like to participate in or have any questions regarding the 2022 Fall Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 ext. 213 or treed@mmbb.com.



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Shana Cook
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- Interlocal agreements, non-profit formation, and utility district regulations
- Contract review services
- Land use permitting and approval process
- American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act funding compliance

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