

Maine Town & City

The magazine of the Maine Municipal Association

OCTOBER 2022

Enhanced Recreational Opportunities

Programs are enticing residents of all ages.

ALSO IN THIS ISSUE

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Maine Town & City

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FEATURES

ETHEL KELLEY AWARD WINNER. Judy Akers, Poland Town Clerk, received the prestigious 2022 Ethel N. Kelley Award during the Maine Municipal Association's 86th Annual Convention on October 5. Akers, who has served as the community's town clerk for 46 years, is believed to be one of the longest serving clerks in Maine. Read more about her contributions to local government service.

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RECREATIONAL PROGRAMS. The municipal recreation department has a reputation of being the home of youth sports, possibly summer day camp and not much else. In this series, Maine Town & City will look at how directives guide the goals and programs of several municipalities to build broad platforms that welcome all ages to recreate in a myriad of ways. The first installment looks at the diverse programs of four municipalities: Windham, Arundel, Farmington, and Bath.

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CRUISE SHIPS. Although the cruise ship industry generated revenues for state and local coffers, the number of visitors placed strains on municipal infrastructure and the patience of residents. As a result, this November voters in Bar Harbor and Portland will decide whether limits should be placed on the number of passengers allowed to disembark.

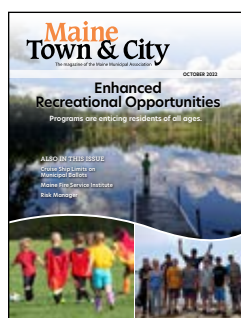
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TRAINING FIREFIGHTERS. Since 1958, the Maine Fire Service Institute has trained and educated firefighters. Now subsumed within the Southern Maine Community College, the institute has broadened its reach, making training a reality for departments of all sizes across Maine at a price point that can be absorbed by resource-strapped municipalities.

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ABOUT THE COVER

Kids of all ages enjoy the many programs offered by rec departments. (Photos submitted by various towns. Soccer photo by Rebecca Lambert of MMA.)

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A MESSAGE FROM MMA

BY KATE DUFOUR / DIRECTOR, ADVOCACY & COMMUNICATIONS

Legislative Season Is Here

While the month of October triggers yearnings for colorful foliage, cooler temperatures, and pumpkin spiced everything, for those in the advocacy business, fall – in an even-numbered year – triggers hope for a better tomorrow.

Albeit a theatric sentiment, there is nonetheless excitement associated with the election of a new Maine State Legislature. Like the first day of school, the slate is wiped clean, old wounds are healed, but not forgotten, and interest is renewed in working collaboratively on policies that support Maine residents, businesses, and industries.

For MMA's Legislative Policy Committee (LPC) and advocacy staff, this time of year is dedicated to the development of the Association's legislative platform.

The LPC. MMA's LPC is comprised of 70 municipal officials elected by the selectboards and councils in each of Maine's 35 senate districts. The 2022-2024 LPC, elected in August 2022, is represented by 38 appointed and 28 elected municipal officials.

The appointed officials are largely represented by municipal managers and administrators, with a deputy clerk, an assistant manager, two interim managers, two planning board members, and an economic development director salted into the mix. The policy committee is also represented by three mayors, 13 selectboard members, and 13 councilors.

For those of you keeping tabs, there are four vacancies on the LPC, three of which are found in districts #3 (Somerset County), #22 (Androscoggin County), and #31 (York County). Please see the related sidebar on page 6 for a list of municipalities in each district.

Since several senate districts are wholly comprised within a single community, the LPC bylaws authorize the state's 11 largest communities to appoint one, or in Portland's case three, members to serve on the policy committee. One of Portland's appointees will be announced later this year.

Legislative Agenda. The LPC has two important roles. The first, as noted above, is to establish MMA's two-year legislative platform, which can take on one of two formats.

When the economy is doing well and state aid programs are not at risk, the LPC's platform normally contains six to 10 bills designed to assist municipal leaders to better deliver local level programs and services.

However, during economically hard times, especially when state funding for local government programs is at risk, the LPC has focused its attention on "protecting the core." Under this approach, the policy committee focuses on ensuring that the actions of the Legislature do not adversely impact important state/municipal programs and property taxpayers.

At its September 2022 meeting, the LPC elected to advance the multiple bills approach and, with feedback from municipal leaders participating in a membership survey, identified several initiatives for possible inclusion on the platform. For now, the list of legislative proposals includes amending the housing (LD 2003) and senior property tax stabilization (LD 290) laws enacted in 2022; refining the General Assistance statutes; expanding options for generating non-property tax revenue, including a local option sales tax, and requiring the state to share more adult use cannabis sales revenue; and advancing initiatives to assist in recruiting, training, and retaining public safety officials, to name a few.

Via the use of a survey, the list of 25 brainstormed options will be reduced to the policy committee's top legislative priorities. Based on the discussions had at the November meeting, MMA's advocacy staff will draft legislation for the policy committee's review prior to submitting the proposals to the legislature for consideration in 2023.

A description of the policy committee's platform will be published in the December magazine.

Position on Bills. Additionally, the LPC is solely responsible for establishing MMA's position on all municipally relevant legislation, which occurs when the committee convenes monthly in Augusta between January and April. Via participation in public hearings and work sessions legislators are informed of the municipal perspective on issues, and via the publication of the Legislative Bulletin, municipal officials are kept apprised of the legislature's response to the issues raised by local leaders.

Because these discussions dictate the Association's positions on municipal issues, it is vital that LPC members hear from you. The feedback you provide helps to better inform MMA's testimony and describe how legislative proposals impact your communities and residents.

Please connect with your LPC members (listed on page 6,) subscribe to the Legislative Bulletin, review the "LD List," which describes the bills being monitored by MMA and connect with me (kdufour@memun.org) and the members of your advocacy team; Rebecca Graham (rgraham@memun.org), Neal Goldberg (ngoldberg@memun.org), and Rebecca Lambert (rlambert@memun.org).

Finally, for more information about the LPC, as well as information on how to subscribe to the Legislative Bulletin, please contact Laura Ellis at lellis@memun.org. ■

Opportunity to Serve on the LPC

If you are an appointed or elected municipal official from a community listed below and are interested in serving on the Legislative Policy Committee, please contact Laura Ellis for more information at either 1-800-452-8786 or lellis@memun.org.

Senate District #3 Municipalities: Benton, Canaan, Clinton, Detroit, Dixmont, Etna, Madison, Newport, Norridgewock, Palmyra, Pittsfield, Plymouth, Skowhegan, and Stetson.

Senate District #22 Municipalities: Acton, Baldwin, Cornish, Hiram, Limerick, Limington, Naples, Newfield, Parsonsfield, Porter, Sebago, Shapleigh, and Standish.

Senate District #31 Municipalities: Buxton, Old Orchard Beach, and Saco.

LPC/Senate District 1:

Gary Picard, Manager, Madawaska
Sandra Fournier, Manager, Castle Hill,
Chapman & Mapleton

LPC/Senate District 2:

Dwayne Young, Admin. Assistant, Weston
Marian Anderson, Manager, Houlton

LPC/Senate District 3:

Tim Curtis, Manager, Madison
(vacant)

LPC/Senate District 4:

Lois Jones, Manager, Corinna
Zachary Wood, Selectperson, Levant

LPC/Senate District 5:

Elaine Aloes, Selectboard Chair, Solon
Elizabeth Caruso, Selectboard Chair,
Caratunk

LPC/Senate District 6:

Harry Fish, Jr., Selectperson, Jonesport
Lewis Pinkham, Mgr./Police Chief,
Milbridge

LPC/Senate District 7:

Kathleen Billings, Manager, Stonington
Carolyn Ball, Vice-chair of Selectboard,
Southwest Harbor

LPC/Senate District 8:

Rick Bronson, Manager, Lincoln
Cheryl Robertson, Councilor, Orono

LPC/Senate District 9:

*Bangor appoints 1 member
Susan Hawes, Councilor, Bangor
Joshua Berry, Interim Manager, Hermon

LPC/Senate District 10:

Kevin Howell, Manager, Carmel
Melissa Doane, Manager, Bradley

LPC/Senate District 11:

Mike Ray, Selectperson, Lincolnville
James Kossuth, Administrator, Northport

LPC/Senate District 12:

Jay Feyler, Manager, Union
Richard Erb, Manager, St. George

LPC/Senate District 13:

Sarah Macy, Manager, Newcastle
Dusty Jones, Selectperson, Wiscasset

LPC/Senate District 14:

Gary Lamb, Manager, Hallowell
Dennis Price, Selectboard Chair, Readfield

LPC/Senate District 15:

*Augusta appoints 1 member
Eric Lind, Councilor, Augusta
Courtney Allen, Councilor, Augusta

LPC/Senate District 16:

*Waterville appoints 1 member
Stephen Daly, Manager, Waterville
Michelle Flewelling, Manager, Fairfield

LPC/Senate District 17:

Dr. Timothy Kane, Manager, Sabattus
Mark Duquette, Selectboard Chair,
Sabattus

LPC/Senate District 18:

Danielle Loring, Administrator, Minot
Thomas Carabine, Planning Board Chair,
Denmark

LPC/Senate District 19:

Gary McGrane, Selectperson, Jay
Ethna Thompson, Selectperson, Rangeley

LPC/Senate District 20:

*Auburn appoints 1 member
Jason Levesque, Mayor, Auburn
Matthew Garside, Manager, Poland

LPC/Senate District 21:

*Lewiston appoints both members
Lee Clement, Councilor, Lewiston
Carl Sheline, Mayor, Lewiston

LPC/Senate District 22:

Stanley Hackett, Selectperson, Limington
(vacant)

LPC/Senate District 23:

*Brunswick appoints 1 member
Katherine Wilson, Councilor, Brunswick
Carrie Weeman, Deputy Clerk, Freeport

LPC/Senate District 24:

Marc Meyers, Manager, Bath
Amanda Campbell, Administrative
Assistant to Selectboard, Georgetown

LPC/Senate District 25:

Mark Segrist, Councilor, Cumberland
Nathaniel Rudy, Manager, Gray

LPC/Senate District 26:

David Nadeau, Councilor, Windham
Robert Burns, Assistant Manager,
Windham

LPC/Senate District 27:

*Portland appoints 1 member
Anna Trevorrow, Councilor, Portland
Danielle West, Interim Manager, Portland

LPC/Senate District 28:

*Portland appoints 2 members
Kate Snyder, Mayor, Portland
(TBD)

LPC/Senate District 29:

*South Portland appoints 1 member
Scott Morelli, Manager, So. Portland
*Cape Elizabeth appoints 1 member
Timothy Reiniger, Councilor, Cape
Elizabeth

LPC/Senate District 30:

Jean-Marie Caterina, Councilor,
Scarborough
Ephrem Paraschak, Manager, Gorham

LPC/Senate District 31:

Larry Mead, Councilor, Old Orchard Beach
(vacant)

LPC/Senate District 32:

*Biddeford appoints 1 member
James Bennett, Manager, Biddeford
Mary Hoffman, Selectperson, Hollis

LPC/Senate District 33:

*Sanford appoints 1 member
Steven Buck, Manager, Sanford
Ian Houseal, Community Development
Director, Sanford

LPC/Senate District 34:

Laurie Smith, Manager, Kennebunkport
Dwayne Morin, Manager, North Berwick

LPC/Senate District 35:

Christine Bennett, Planning Board, Eliot
Kendra Amaral, Manager, Kittery

LPC Chair:

(2022) Elaine Aloes, Selectboard Chair,
Solon
(2023) Diane Hines, Manager, Ludlow &
Reed Plantation

Judy Akers, Poland Town Clerk, Recipient of MMA's Ethel N. Kelley Award

Dedication, compassion, and loyalty run deep in this year's award winner.

Judy Akers, Poland Town Clerk, received the prestigious 2022 Ethel N. Kelley Award during the Maine Municipal Association's 86th Annual Convention on October 5.

Akers, who has served as the community's town clerk for 46 years, is believed to be one of the longest serving clerks in Maine. She is widely respected for her ability to bring Poland's residents together to resolve difficult and contentious problems in a thoughtful and respectful manner. True to the traits of a longtime clerk, Akers is firm in her adherence to established municipal rules and procedures to ensure that everyone is treated fairly and respectfully.

The award's namesake, Ethel N. Kelley, devoted 45 years of service to MMA, from its establishment in 1936 until her death in 1981. To honor her commitment to municipal government service, since 1986 the Association annually has recognized a municipal official with the same penchant for public service. Kelley, described as the cement that held the organization together, particularly during World War II, served the Association in many capacities. She is the only person in MMA's history to have held every title, including that of the executive director.

James Gardner, Jr., Easton Town Manager and chair of the selection committee, noted "that even if 150 applications had been submitted, Ms. Akers' nomination would have risen to the top. She is a carbon copy of Ethel Kelley; loyal, dedicated, hardworking and kind."

Selflessness was a common theme among the letters supporting her nomination. Akers was consistently praised for her commitment to treating people with compassion and empathy. One Poland resident commented that "Judy's concern for her fellow residents is manifested through her thoughtful and caring actions. Judy will see a resident pull into the town office parking lot who she knows has problems getting around and will cause someone to go help them out of the car and into the office."



Ethel Kelley Award presented at the MMA 86th Annual Convention. From left to right: James Bennett, Judy Akers and James Gardner. (Photo by Rebecca Lambert)

Joining Gardner on the 2022 Ethel Kelley Award selection panel were Sophie Wilson, Orono Town Manager and Susan Lessard, Bucksport Town Manager. Underscoring the chair's sentiment, Wilson noted that "While we are fortunate to have many dedicated and hardworking municipal officials in our state, the Committee was truly honored to recognize Judy Akers for all that she has given over many decades in service to her community. She is the absolute embodiment of the spirit of the Ethel Kelley award and has made a positive and long-lasting impact on municipal

government."

Any current or recently retired elected or appointed official from a member community who has selfless concern for the people they serve; demonstrated ability to unite the community; longevity of honorable service; and dedication to the cause of good local government is eligible for the award.

To date 37 municipal officials have received the award, of which 14 have or continue to serve in an elected capacity and 23 appointed to municipal government service, including town and city managers, tax collectors and treasurers, clerks, assessors, and fire and police chiefs.

During her acceptance speech, Akers shared that between her grandfather, father, mother, two uncles and herself, the family "has been dedicated to the Town of Poland for over 200 years in different departments, all serving the public."

Akers concluded her remarks with an analogy about local service. "Municipal government is like a puzzle and all the different departments are the pieces. When everyone works together as a team you have harmony, and the residents are happy to call your town their home."

For more information about the Ethel N. Kelley award and how to ensure a local leader in your community is considered for the 2023 award, please do not hesitate to contact Kate Dufour (kdufour@memun.org). ■

MMA ETHEL N. KELLEY MEMORIAL AWARD

RECIPIENTS

HAROLD BEATHEM
MEDWAY
Selectperson 1986

BEVERLY HENRIKSON
BATH
City Clerk 1996

GEORGE RICHARDSON, JR.
WESTPORT ISLAND
Selectperson 2006

PATRICIA SUTHERLAND
CHAPMAN
Chair of Select Board 2016

MARYLYN CURTIS
LUBEC
Tax Collector & Treasurer 1987

WILLIAM JORDAN, SR.
CAPE ELIZABETH
Councilor 1997

MARY WATERMAN
NORTH HAVEN
Admin Assistant/Clerk 2007

KATHARINE LITTLEFIELD
WALDO
First Selectperson 2017

NELLIE FOGG
GREENE
Town Clerk 1988

JEAN BARKER
BAR HARBOR
Town Clerk 1998

MARY FRANCES BARTLETT
AUGUSTA
Welfare Director 2008

MICHAEL W. GAHAGAN
CARIBOU
Police Chief 2018

ROBERT GARLAND
ANSON
Selectperson 1989

CAROLINE MITCHELL
BURNHAM
Town Clerk 1999

LIONEL & BETTY GILBERT
MANCHESTER
Selectperson 2009

SHARON R. BRASSARD
SOUTH BERWICK
Recreation Director 2019

PATRICIA DICKEY
SKOWHEGAN
Town Manager 1990

ARTHUR RENO
BATH
Road Commissioner 2000

HERVEY CLAY
LINCOLN
Deputy Fire Chief 2010

GERALD GAMAGE
SOUTHPORT
Selectperson / Fire Chief 2020

ANNETTE GAGNE
WINSLOW
Admin Assistant 1991

LYLE CHADWICK
BURNHAM
Fire Chief 2001

MARIE VARIAN
PHIPPSBURG
Assessor 2011

ROBERT MOULTON
SCARBOROUGH
Retired Police Chief 2021

ANNA SCHOOLS
LITTLETON
Town Manager 1992

ROBERT LITTLEFIELD
GUILFORD
Town Manager 2002

ROLAND L. MICHAUD
WINSLOW
Town Councilor 2012

JUDY AKERS
POLAND
Town Clerk 2022

EDITH CANHAM
VASSALBORO
Deputy Tax Collector 1993

ERNEST TWEEDIE
THORNDIKE
Selectperson 2003

DONALD BURKE
APPLETON
Selectperson 2013

RAYMOND BEMIS, JR.
LEVANT
Fire Chief 1994

PARKER KINNEY
JAY
Selectperson 2004

PETER AULT
WAYNE
Treasurer, Selectperson 2014

GERALD ROBERTSON
BREWER
Councilor/Mayor 1995

CATHY O'LEARY
HOULTON
Town Clerk 2005

WILLIAM THOMPSON
GUILFORD
Selectperson 2015

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Enhanced Recreational Programs

From after school programs and youth sports leagues to turkey dinners and pickleball lessons, recreation programs are expanding to meet the needs of residents of all ages.

By Janine Pineo

Think of a municipal department, any department.

What comes to mind? Finance? Trash? Water and sewer? Economic development? Snowshoeing with goats? Dancing with Miss Sue? Eating a turkey dinner aboard a train skirting Lake Winnepesaukee?

If you said any of those last three, you have wandered off into the recreation department.

Every Maine municipality has a unique location, a unique budget, and a unique population, all of which plays into what sort of weight the community gives to recreational activity. Even the definition of recreation and what falls under the purview of a recreation department varies significantly.

Recreation directors from Windham, Arundel, Bath, and Farmington spoke with *Maine Town & City* about their directives that inspire them to run an assortment of programs that range from — you guessed it — snowshoeing with goats to dancing with Miss Sue to a turkey dinner train ride and, not surprisingly, beyond.

Windham

Population: 18,434

Few Maine towns can boast that they have tripled in size in 50 years, but the Cumberland County town of Windham has done nearly that since 1970 when the Census counted 6,593 residents.

“Windham has been one of the fastest growing communities in Maine over the past few years, and our programs have certainly felt that growth,” said Linda Brooks, director of parks and recreation. “We are constantly outgrowing the spaces we have been accustomed to using, and we often have waiting lists for many of our programs.”

She added that current projects at



Farmington's annual Christmas dance show with Miss Sue, aka Susan Jones. (Submitted photo)

three of the primary recreation facilities are to expand the parking lots.

Windham’s directive of “Creating a sense of community through people, parks and programs” has played into a different approach for traditional recreation offerings, such as youth programs for basketball and the like. “Many years ago, a model was developed that does not have the department offering any of the youth programs,” Brooks said, “but instead, we provide minimal support to each of those volunteer organizations who manage those sports. Consequently, our efforts are focused on filling the voids that are not served through those organized youth sports.”

The recreation umbrella includes all ages and an eclectic mix of programs. A visit to the department’s website reveals its changing slate of events, many seasonal in theme or purpose: craft time for preschool; hiking, karate, science

(even forensics), bowling and assorted trips for youth; line dancing and several Halloween offerings for families; a mushroom company tour, beginner pickleball lessons and other sports for adults; and trips to the Fryeburg Fair and Oxford Casino, the turkey dinner train, a mystery breakfast, and lunch at Stone Mountain Arts Center for seniors.

Brooks said the town has limited indoor space so many activities are scheduled at the outdoor park and trail facilities, such as family-oriented trail scavenger hunts and “Playdates in the Park.” Participation is robust, she said.

This year’s summer day camp was seven weeks long and served 276 children either full or part time. “There were others on a waiting list that we were unable to accommodate due to staffing and transportation limitations,” Brooks said.

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

Windham offers a weekly senior shopping trip on a department bus, which used to require participants to pay a \$2 fee each time. A few years ago, the department partnered with Social Services, Brooks said, purchased a 14-passenger bus and discontinued the fee. "The artwork on the side of the bus tells that story," she said. "It is the department logos of both Parks and Recreation and Social Services with the tagline 'Working together for Windham.'"

Residents just need to call in to reserve a seat, she said.

The recreation department also co-

ordinates the summer concert series at Dundee Park, hosts the Trunk or Treat event, manages the holiday tree lighting that will be a holiday light parade this year, and is involved in Summerfest and the Easter Parade. It hosts father-daughter and mother-son special nights, too.

"People are somewhat aware of their local parks, trails, ballfields, community events and programs, but aren't all that aware of what goes into offering quality comprehensive services," Brooks said. "An oft-heard phrase is 'Oh, you're the fun department,' which we are happy to be, but there is plenty of hard work

involved in bringing that fun to the people."

Arundel

Population: 4,264

For the York County town of Arundel, the focus of the recreation department is on the needs of the community while building and maintaining a sense of community, said Jenn Shea, who has served as the town's director of parks and recreation for 20 years.

Shea felt what was needed was a trip to snowshoe with goats at a farm in Gray, for instance. "We try to get the kids outdoors for half-day activities whenever possible," Shea said. Those monthly half-days are school days, and the recreation department fills a need for services then, just as it does with its Before & After School Program.

"The Before & After School Program and summer rec programs are our largest programs, which serve the needs of working families," Shea said. "We strive to offer school-year and summer programs that kids want to participate in."

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homework and play games or other organized activities.

Shea said the department has added monthly family events to its roster, “in hopes of getting families out to interact as a community now that COVID restrictions have lifted.”

The family events include discounted group rates for local shows as well as community events, such as this month’s ultimate frisbee night.

“Our highest level of participation is definitely children,” Shea said. “Family events are well attended, usually because the children want to participate, so the parents come along with them.”

Shea said that while the focus is on supporting working parents by offering programs to engage the children, her department offers much more. “We help introduce children to sports, being involved, and making healthy lifestyle choices at a young age, in hopes that it will stay with them for life,” she said. “Learning what is right and wrong within a community, as well as giving and taking as part of a community are among our core values for kids.”



Children of all ages at a concert in Dundee Park in Windham. (Submitted photo)

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Seniors participating in a Farmington hiking program visit the Maine Hut on Flagstaff with Bigelow in the background. (Submitted photo)

Bath

Population: 8,766

The recreation division of Sagadahoc's county seat has a mission: Improve the quality of life for all ages through programs, events, parks, sports, arts and many other opportunities.

In Bath, recreation is a division of the Parks, Recreation, Forestry and Cemeteries Department, which is led by Director Steve Balboni. The combination works for the city, he said. "It

allows us to share many more resources that would not be typically available to us," he said. "For example, when we partnered with the school to build the Bath Bike Pump Track, we were able to truck material and supply all the equipment to be able to do the project in less than a week."

The track at the middle school is for bicycle motocross, or BMX, where children can ride and learn BMX skills.

The city also has Bath Trails, a net-

work of multiuse trails for recreation, transportation and "a healthier community," according to the city's website.

"We set out to build a five-mile trail from the YMCA to Thorne Head and absolutely crushed that goal," Balboni said. "We created an outdoor experience like no other. While there are many access points along the trail, most of the trail feels like you are in a vast wilderness versus a city."

Bath has a slew of programs, too. Sports offerings include the usual along with lacrosse, wrestling, and an introduction to skiing and snowboarding. A hunter safety course is offered, as is line dancing, science programs and a coding class. Special events include a cribbage tournament and road and trail races. Residents also can rent a plot in the Community Garden for \$40 (nonresidents pay \$60).

"Recreation is different for everyone, so we do our best to provide these types of experiences," Balboni said. "Many will find they become lifelong activities."

Farmington

Population: 7,592

Hiking club, walking club, bookworm club, cheerleading, soccer, swimming, dancing, art class, storytime, pickleball — the list of activities for the Farmington Recreation Department goes on and on.

The Franklin County town has programs for all ages, although the activi-

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ties aren't necessarily associated with the typical age group. Walking club, for example, is for teens, while the beginner's art class is for those over 50, as is the Forever Fit Hiking Club.

Matt Foster, director of parks and recreation, said the intent of such diverse programming is to reach as many community members as possible. "Just like clothing trends, programs can be trendy and change over time as well," he said. "There are other programs that haven't stood the test of time yet to become classics in our area, but pickleball, book clubs, hiking clubs, pre-k groups, adult indoor soccer, et cetera, may be programs that are more likely to change as our community interests change over time."

Farmington's summer programs served 430 participants this year, Foster said. The department offered 21 programs and achieved more than 8,110 hours of participation for the three months of summer. "In a typical year, we reach between 30,000 to 40,000 hours of participation through programming alone, and that number does not include random visits to the Community Center, parks or other facilities we offer," he said.

And then there's Miss Sue, aka Susan Jones, recently retired from her job as

the town's postmaster. Foster said Jones has worked part time doing dance programs for children for years. "Probably not the kind of dance program you are thinking of," he said, "but it is more of a for-fun dance program with a show at the end where Miss Sue kind of choreographs something and the kids follow her movements. It's mostly a fun confidence builder for children, helping them to get up in front of people and let loose a little bit."

Miss Sue and her dancers might well

embody Farmington's recreation mantra: Bringing our community alive.

"The products and services we offer to communities are often very intangible," Foster said. "The impact is hard to measure, and sometimes takes years or decades to play out, and even then, the data can still be subjective. It is much harder to measure the impact you have on peoples' lives than it is to count the number of calls responded to, the miles of road built, or the amount of revenue gained." ■

ABOUT THIS SERIES

Often overlooked and underfunded, the municipal recreation department has a reputation of being the home of youth sports, possibly summer day camp and not much else. In this series, *Maine Town & City* will look at how directives guide the goals and programs of several municipalities to build a broad platform that welcomes all ages to recreate in a myriad of ways. Funding is always a top issue, as are fees that might prohibit residents from participating. The aftermath of the COVID-19 pandemic has brought staffing challenges even as interest in programs has increased and departments have found new purpose in new directions. The first installment looks at the diverse programs of four municipalities: Windham, Arundel, Farmington and Bath.

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Richard LaBelle, Norridgewock Town Manager, worked with Efficiency Maine to upgrade lighting and heating for Norridgewock's town buildings including the public library and the fire department.

"These incentives are too good to leave on the table. Like most municipalities, we face the ever-expanding pressure to keep taxes down. We were able to upgrade our lighting and install heat pumps at a fraction of the cost. The new lighting transformed these buildings, and the heat pumps enabled us to remove window air conditioners, dehumidifiers, and heaters under staff desks. To me, that shows we're doing what's best for our community by being a wise guardian of the taxpayer dollar."

By matching Efficiency Maine's incentives, LaBelle estimates the town of Norridgewock is saving more than \$40,000 a year.

Learn more at www.energymaine.com/municipal-retrofits-fon/



Ebbs and Flows of the Cruise Ship Industry

A boon for municipal coffers, but a strain on infrastructure and the residents who bear the costs of hosting thousands of visitors throughout the tourism season.

By Betty Adams

When the Queen Elizabeth 2 became the first cruise ship to drop anchor in the port of Bar Harbor four decades ago, the townsfolk welcomed her with open arms and the fanfare due the pride of the Cunard Lines. Shoreside dignitaries and the press rode the lifeboats-turned-tenders out to the liner while passengers strolled the picturesque town or boarded buses to tour Acadia National Park.

The hoopla continued for the initial arrival of each new cruise ship. At one-point, then-Gov. John Baldacci toured the Queen Mary 2, which arrived in Bar Harbor on its inaugural year voyage in late September 2004.

Today, the arrival of at least one and maybe two large cruise ships is commonplace for Bar Harbor and – farther south – the City of Portland. In September and October, even more ships sail into the two harbors to allow eager leaf-peepers to disembark.

But as the sizes of ships and the numbers of passengers have grown, concerns about crowded streets and sidewalks, traffic and greenhouse gases have supplanted the avid interest in attracting tourists who travel by ship.

Now, voters in both the Town of Bar Harbor and the City of Portland will weigh in on measures to curtail the waves of passengers on the Nov. 8 ballot.

The issue in both municipalities reached the ballot box by way of citizen petitions.

The referendums in the seaside communities place a 1,000-person limit on the total number of people permitted to disembark on any given day. In Portland, the threshold would



Kevin Sutherland

take effect in 2025. In Bar Harbor, the amendment to the town's Land Use Ordinance would apply retroactively.

In Portland, the measure is titled, "An Act to Restrict Cruise Ships in Order to Reduce Congestion and Pollution," and the petition drive was organized by the Maine Chapter of the Democratic Socialists of America (MDSA) as part of a "Livable Portland" initiative. It is one of five citizen initiatives appearing on the ballot in the state's largest city. Four of those came from MDSA.

However, the sponsoring group, working with the International Longshoremen's Association and the Maine State Building & Construction Trades Council, said it was submitting an alternative to the cruise ship initiative for the city to consider. In exchange, it said it would agree to stop working for passage of that initiative.

"This compromise meets two of MDSA's highest priorities: confronting climate change and expanding well-paying jobs for workers," said Wes Pelletier, chair of the MDSA Campaign for a Livable Portland, in a Sept. 1 press release. "In many ways, it is even better than what voters sent to the ballot this fall, and we hope the council's Sustainability and Transportation Committee takes it up immediately. As they do, we'll shift our resources and energy toward the passage of the compromise instead of referendum question E."

In Bar Harbor, daily caps for people currently allowed to disembark stand at 5,500 passengers a day in May, June, September, and October (3,500 in July and August) with no monthly cap.

At a meeting of the Bar Harbor Town Council in early August, Town Manager Kevin Sutherland noted that the Cruise Ship Working Group – made up of Sutherland, Councilors Jill Goldthwait and Valerie Peacock, the harbormaster, and a representative of the state Office of Tourism – already had negotiated reduced daily caps with the Cruise Line International Association. Those capped daily totals at 3,800 passengers per day for the four months and 3,500 for midsummer. The agreement, due to take effect in 2023, carries monthly caps as well, and limits cruise ship stops to six months a year rather than the current eight months.

The Norwegian Pearl, one of the almost weekly visitors to Bar Harbor, for instance, has a gross tonnage of 93,530, and can carry up to 2,394 passengers.

One need only look at the cruise schedule on Maine.portcall.com to see that there are large ships anchoring almost every day in October, and sometimes two ships a day. In September 2022, only four days were cruise

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ship-free in Bar Harbor.

In his presentation to council, Sutherland said that conditions have improved this year on the town's pier, where passengers arrive and depart.

Additionally, in an interview in September, he said, "Already this year, based on our staff's efforts to work with businesses down there, we've been able to keep the pier open. There have been no street closures this year so far. These were efforts that the cruise ship committee and staff worked on in 2019, then we had two years of no cruise ships. There was not a chance to check those recommendations for changes until this year."

Goldthwait noted at the council meeting that even Venice, Italy, has placed limits on cruise ships.

A law that took effect in September 2021 bars ships of greater than 25,000 gross tons (and some with other characteristics) from transiting three "listed heritage" waterways in that city: the Bacino di San Marco, Canale di San Marco and Canale della Giudecca.

Cruise ship visits mean revenue for the hosting community. According to Bar Harbor's 2022 Cruise Ship standard operating procedures, the port fee for cruise ships occupying anchorages there was \$5.21 per passenger beginning July 1 "based on the lower berth capacity of the ship regardless of the actual manifested passengers."

Town budget documents show that revenue from the cruise ships is forecast at just under \$913,000 for fiscal 2023, with more than half of that coming in passenger fees. Expenditures from the Cruise Ship Fund were anticipated to total \$664,000, including \$42,000 for "Visitor Wayfinding Services," \$94,000 for the Island Explorer bus services and \$238,000 in operations expenses, plus a number of

improvements in and around the harbor and downtown area.

"We have a capacity problem," Goldthwait said during the August council meeting.

"The park (Acadia National Park) is turning people away. They come to Bar Harbor and can't find a place to park. We are overwhelmed with people right now."

The National Park Service says four million people visited Acadia National Park in 2021.

Councilor Erin Cough, at the same public meeting, said people from the cruise ships make up 5% of the town's tourism, in comparison to the 95% who arrive in "hundreds of thousands of cars."

According to the 2021 Maine Office of Tourism Highlights, the state saw 15 million visitors in 2021 and those tourists spent just under \$7.9 billion. A quarter of those tourists were day visitors.

In a later conversation, Sutherland concurred with Cough's estimate of the percentage of ship visitors. "It does represent a very small portion of the total number of people that visit Bar

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Harbor, but it does eat up a lot of conversation time.”

A University of Maine School of Economics Staff Paper “Economic Impact of Cruise Ship Passengers Visiting Bar Harbor (Maine) in 2016” indicated that “The cruise ship passengers had an estimated annual economic impact—including multiplier effects—of \$20.2 million in local spending, 379 jobs (full- and part-time, and seasonal) and \$5.4 million in labor income.”

In addition, the report said the Town of Bar Harbor collected \$686,472 in passenger fees in 2016.

Sutherland said the revenue from the cruise ship fees covers the debt service for work that benefits cruise passengers, including legal fees, environmental monitoring, fuel for the patrol boat, CruiseMaine dues, and allocations for staff time. While the budget includes money for several days of the town manager’s time to be spent on cruise ship issues, Sutherland said it takes much more. Previously Sutherland was city administrator in Saco. When he took the Bar Harbor role in January, he had no experience dealing

with cruise ship issues. “I walked into it and was handed this cruise ship challenge.”

By mid-September, he said, “Now I’m a resident expert. I really want the communities in Maine to know that this is a challenge we have to collectively address.” He added that in his experience he learned, “It’s easier if you call the cruise lines and talk to them.”

Sarah Flink, executive director of CruiseMaine, is a member of the town’s Cruise Ship Committee.

“CruiseMaine, part of the Maine Office of Tourism, works in close partnership with Maine communities to sup-

port sustainable cruise ship tourism, infrastructure investment, and economic and destination development,” she said. “Our work has always been – and will continue to be – tailored to respect and accommodate the needs and preferences of Maine’s coastal communities.”

Flink also has made presentations to Portland’s Sustainability and Transportation Committee which had begun looking at getting shore power for cruise ships’ hotel needs while in port. The state office also keeps track of the number of times cruise ships stop in Maine.

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Here are Cruise Maine's projected totals for Bar Harbor and Portland at the beginning of this cruise season:

Bar Harbor:
181 calls
292,000 passengers

Portland:
91 calls
146,000 passengers

There are other ports in Maine that can accommodate large cruise ships, including Eastport and Rockland. Both have some limits on the numbers of passengers and ships.

In Bar Harbor, Sutherland penned an Aug. 19 memo to the town's Warrant Committee and Planning Board. In it,

he raises a number of questions about the petition, which calls for passenger number restrictions to be included in the Land Use Ordinance. He also notes that it would require counting those disembarking so the correct fees could be calculated and indicates it would require hiring two additional town staff members.

He concludes, "Without delving into questions of legality or invalidity, I hope the Warrant Committee and the Planning Board see the challenges this citizen petition would place on the administrative and enforcement side of municipal government and would recommend that it ought not to pass."

And in an interview Sept. 20, Port-

land Mayor Kate Snyder said that under Portland City Code, Council had three options when the citizens' petition was presented: pass it on to voters, offer a competing measure or adopt the ordinance as written.

At an Aug. 8 public hearing where a number of individuals as well as those representing organizations testified, the Council unanimously voted to present it to voters as written.

"My preference is we vote against this initiative and allow the work to happen in Council," Snyder said in the interview. In the meantime, things are on hold. "Until we see what the voters do, this point is moot. If it fails, the council can take that work back in committee and engage with issues and the people involved."

Snyder said she didn't have a clear sense of where voters are on that or other issues. "I think people feel a little overwhelmed and a little confused," she said. That's understandable. The municipal ballot alone lists eight questions regarding city charter amendments, five citizens' initiatives, and a number of municipal seats to fill.

Portland has 62,695 active voters, according to its website.

In mid-September, Sutherland said, "The community has been concerned about the volume of cruise ships in town, and it's taken the council some time to figure out how to address it, and it didn't happen fast enough for some residents who got their (petition) signatures ahead of having a plan worked out."

If the voters approve the 1,000-person limit, Sutherland said that any changes required would be discussed as part of the budget process. "We have some time because we don't have cruise ships in the winters," he noted.

In the meantime, he said, "The council and the staff are working towards an approach that is a more professional approach to addressing cruise ships and cruise ship passengers in town."

Bar Harbor has 4,943 active voters, according to the Secretary of State's website. ■

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Slip Sliding Away in the Snowy Months

Slips, trips and falls are one of the leading causes of workplace injuries year-round, but when the weather turns nasty the chances of falling and being injured increases dramatically.

"It could have easily been prevented," said the Human Resources Director from a mid-sized town in Central Maine. "It had been snowing and for some reason this employee decided to save himself a few steps and cut across the snow-covered lawn instead of staying on the walkway which had been shoveled and sanded. He ended up slipping and sprained his ankle which kept him out of work for a few days."

Slips, trips and falls are the second leading causes of workplace injuries according to the National Safety Council. The Council states that over one quarter of workplace injuries (27.4%) and 16.5% of all workplace-related fatalities are caused by slips, trips and falls.

These injuries come at a steep price – both financially and physically. The U.S. Center for Disease Control (CDC) says the average cost of a slip, trip or fall is between \$30,000 and \$40,000 (\$48,000 on average if it is a fall related to snow or ice). Over \$50 billion is paid out by insurers every year for these types of injuries.

While 5% of these incidents result in broken bones, slips, trips and falls are the leading cause of brain and head injuries – potential life-altering events. On average the CDC says these claims result in 11 days of lost work by the employee. In Maine we see an average of 3,000 occupational slip, trip and fall cases every year.

Loose rugs, falling off ladders or tripping over a cluttered workspace are common year-round, but here in Maine when the last of the autumn leaves drop, typically the next thing to fall from the sky are snowflakes.

Wintertime can be especially risky in terms of slips, trips and falls for a variety of reasons. While snow- and ice-covered walkways, ramps and stairs are an obvious hazard, wet floors and floor mats from snow being tracked inside a lobby can be problematic as many folks who would normally be extra careful while walking from the snow-covered parking lot to inside let down their guard once they enter the building.

Sometimes the risk occurs even earlier while exiting the vehicle. One misplaced step on to a patch of black ice while stepping out of the SUV can lead to an unexpected visit to the local emergency room. When exiting your vehicle, maintain three points of contact at all times and use your vehicle for support so if you do slip on that icy patch, you will be less likely to fall.

Staying safe and out of the ER in the winter starts with adopting a different kind of mindset. You know to slow down and take it easy when you're driving into work on a snowy day. The same idea applies when walking into work. When it's slippery out adjust your walking by bending your knees slightly and take short, slow steps. Now is not the time to check your phone or answer that text . . . keep your focus on the path ahead.

Of course, choosing the proper footwear is equally as important. When the meteorologist calls for a chance of snow, consider going with winter boots vs. the dress shoes. For folks who routinely work in the snow and ice, slip on ice grippers are a wise choice. While some folks may shun the idea of throwing on what looks like combination tire chains/ice crampons over their black-polished dress boots, one should realize there are a lot of other different styles which can work just as effectively, be less obtrusive and even slip out of the



cont'd on page 21

Transitional Return to Work, why is it Important?

As municipal entities, your employees wear many hats. At times, especially when budgets are wearing thin and holes in the workforce are apparent, burn-out is common and mistakes are destined to occur. Inevitably, we start to see increases in workplace injuries.

Unprecedented circumstances of a global pandemic have also impacted the workplace environment along with the turnover of employment; however, it has opened a path for new generations of municipal officials to be hired.

These changes come with their own set of challenges, but it also presents ample opportunities for growth to better serve the employees who continue to strengthen the communities they serve throughout Maine. Perhaps you work in a municipality that has a strong safety program already in place, or you work in a municipality where safety has not been a top priority; whichever background these communities come from, one must stop and evaluate why safety and promotion of the employee's well-being should be a top priority.



itive patrol officer; however, their employer has a strong transitional return to work program in place for light duty tasks. The officer can still come into the department and work on evidence logging and reports. The work they are performing is not what we call, "busy work" but essential to the functionality of their position as a police officer. The injured employee has daily interactions with their peers and supervisors while they recover from an injury caused by the nature of their position. Often, the injured officer in this scenario will continue to feel contributory towards their position and recovery times will be substantially shortened.

In the second scenario, we have a public works employee who has a 50-pound lifting restriction. The municipality the employee works for does not allow for any transitional return to work and the injured employee remains at home while on light duty. The employee is removed from the community of their peers and is not contributing towards a necessary function of their job. In our professional experience, the removal of a daily routine causes employees to become detached from their peers. This can decondition their injury progression and extend the amount of time an employee is out of work for the injury.

A transitional return to work program is not only beneficial for the progression of our injured employees but can be beneficial for the employer. Some key points to remember are:

1. Indemnity, or time the employee spends out of the office, are weighed heavier on your modification rates when calculating contribution amounts.
2. A transitional return to work policy retains valuable employees who may have specific skills and/or training that can be shared, even while on light duty.
3. These policies can help the department complete tasks that are meaningful but may not be possible due to staffing issues or other barriers.
4. Accommodating the restrictions can curtail the need

cont'd on next page



With employee wellness in mind, one issue that commonly arises in workers' compensation is a transitional return-to-work program. When injured employees are given light duty work from a health care provider, it is strongly encouraged that the employer attempts to bring employees back on modified duties. The employees can perform meaningful work while recovering from their work-related injury. Why is this so strongly encouraged in the workers' compensation world? In our opinion, a transitional return to work program is essential for the employee's physical and mental recovery from a work-place injury. How can working light duty be an essential puzzle piece to the recovery process? Let's imagine two different scenarios that can commonly occur after an injury happens at work.

In the first scenario, we may see a police officer who has a limited gripping restriction with their dominant hand. It could be dangerous for the employee to work light duty as an ac-

Transitional Return to Work...cont'd from page 20

for other employment issues or extended leaves of absence.

The workers' compensation department would be happy to assist our members with starting and implementing a strong transitional return to work program. We employ a nurse case manager that can assist with identifying specific tasks and job duties that would be appropriate for light duty employees. One of the great things about our state, which may be unique to Maine, is that other municipalities support the strengthening of all our communities. The workers' compensation team has contacts across the state who already implement strong transitional return to work programs and can connect municipal officers with policy.

As I am sure the membership knows, retaining employees is a different ballgame than it has been in the past. The better the work environment we create, the better we can serve our communities.

For more information on transitional return to work programs for your municipality, please reach out to your workers' compensation contact or you can email Jennifer Harrow-Mortelliti, WC Claims Supervisor at jharrow-mortelliti@memun.org. 🏠

Slip Sliding Away in the Snowy Months...cont'd from page 19

way when the extra grip is not required (i.e. when going inside).

When using stairs, ramps or other walkways, if there is a handrail use it. Again, it offers an extra margin of safety in case you begin to slip, trip or fall.

Adopting a preventative mindset is also helpful in reducing injuries during the winter months. Be extra vigilant in ensuring lobby floors – wet from snow being tracked inside or from frequent mopping – are dried as quickly as possible. Wet mats should be removed and replaced with dry mats. Caution signs should also be in use when needed.

Keeping walkways, stairs and all exits free of snow and ice can sometimes be a challenge with some storms, but this is really the first line of defense in preventing slips, trips and falls during the winter months.

Finally, one can only do so much in terms of reducing the likelihood of slipping or falling in the winter. In the end, sometimes it comes down to the employee making a better choice. If given the choice of walking 50 feet on a plowed, snow-free area as was the case at one transfer station facility or walking down a steep, snow-covered 14-foot hill, time and experience has shown that human beings often will take the riskier and easier choice. In these cases it often boils down to safety education . . . which is always a step in the right direction.

For more information: <https://www.memun.org/Insurance-Services/Risk-Management-Services/Loss-Control/Safety-Shorts> 🏠

Safety Pays Dividends

The MMA Workers' Compensation Fund and Property & Casualty Pool are pleased to announce that we delivered over **\$1.3 Million in Dividend Distributions this year**. Since 1997, MMA Risk Management Services have returned more than **\$26 million** in dividends to eligible members. These dividends are a direct result of member dedication to safety, loss prevention, and sound risk management practices.



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MMA Workers' Compensation Safety Incentive Program

The MMA ***Workers' Compensation Safety Incentive Program*** (WCSIP) is a voluntary program that rewards our members with the opportunity to earn up to 10% in contribution credits and financial incentives by improving workplace safety. The program is designed to help control costs by improving your loss experience, minimizing workplace disruptions, and increasing eligibility for *Performance or Claims Management Credits*. The program is available to all Workers' Compensation Fund members and currently has **121 members enrolled who have received over \$1.7 Million in contribution credits**. Therefore, we encourage you to enroll now and start seeing savings in 2024.

The goals of this program are to:

- Reduce the incidence of injury and illness throughout operations
- Improve overall safety in the work environment
- Create and maintain lines of communication with all employees
- Promote a self-sustaining safety culture
- Institute claim management best practices
- Provide financial incentives which reward our partnership toward safety

Our dedicated team of professionals will work with you to help manage your workplace safety efforts by providing sample safety policies and programs, training opportunities, and additional resources to help you obtain maximum benefit from your workplace safety efforts.

Enrollment in WCSIP is easy, complete program details can be found on the MMA website: <https://memun.org/WCSIP> 

Workers' Compensation Renewal Reminder

It is renewal time again. The 2023 renewal applications for the Workers' Compensation Fund were due by October 17, 2022. We want our members to know that we are available to assist you. If you would like help with the completion of your application or just have questions, please contact RMS Underwriting at rmsunderwriting@memun.org or 1-(800) 590-5583.

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And All We Do* 


FREQUENTLY ASKED QUESTIONS

WHAT IS A WORKERS' COMPENSATION AUDIT?

Once a year, payroll audits are performed for the members of the MMA Workers' Compensation Fund. The Fund is required to complete these audits during the first quarter of each year for the previous coverage term.

THE FUNCTION OF THE AUDIT: The audit compares the estimated annual payroll projections (which you provided to us the year prior) to the actual payroll totals at the end of the year. Therefore, if you overestimated your payroll, you may have contribution due to be returned to your entity or the opposite could occur. The audit process is important and with some planning can be completed with ease. Therefore, we recommend that you start now and consider the following:

- **PROPER CLASSIFICATION OF EMPLOYEES** Be sure to classify all employees in the correct payroll classifications. Typically, municipal payroll software allows you to update the employee record to include the Workers' Compensation payroll class code. Once the class codes have been entered, you will have the ability at year end to generate a detailed report by employee that exports the gross payroll including the class code.
- **CERTIFICATES OF INSURANCE FOR CONTRACTED WORKERS** If your entity uses contractors or subs during the year, you must obtain a certificate of insurance, that provides evidence of Workers' Compensation coverage or an approved "Predetermination of Independent Contractor Status" (WCB 266). If your entity does not obtain and keep records of certificates of insurance from all contractors or proof of a Predetermination of Independent Contractor Status, we must include what you paid them in your payroll totals, which will affect your contribution.
- If you did not obtain evidence of Workers' Compensation coverage, do not panic. You can either reach out to the contractor now and request a certificate of insurance or visit the Maine Workers' Compensation Board website and utilize their insurance verification tool located at:
<https://www.maine.gov/wcb/Departments/coverage/verification.html>

Please note that during the 2023-2024 legislative session, the Legislature is considering a change to the predetermination process, and MMA will keep our members informed of changes to the predetermination process. 

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A brief history of MMA's membership database

By Brian McDonald / Director / Information Technology & Administration



Michelle Harrington, Brittany Hartman, Val Pomerleau, Jen Stiles

To better support our members, the Maine Municipal Association (MMA) implemented a membership database application more than 20 years ago. MMA upgraded to the current system in 2009, with updates and additional features added each year.

This database allows MMA to serve our municipal members and their employees by providing up-to-date contact information and analytics to internal departments and ensuring MMA provides the best possible assistance to our members.

Recently, MMA expanded the use of this system to allow for online ordering of training materials and meeting registrations through an e-business platform. Ebiz, as we call it at MMA (<https://ebiz.memun.org>), has also allowed the Association to expand access to training with Videos on Demand (VOD) and add the use of credit cards to make ordering manuals and registering for workshops even easier.

Forming the Personify Team

The membership database team was formed in 2020 to focus on new efforts and resources for members. The team is a direct line of contact for members and many of their interactions with MMA. In any given week, the team completes hun-

dreds if not thousands of updates in the system to maintain the most current member information.

Annually (typically after local elections), the team sends a request for information to each Maine town and city to collect and update information. As you can imagine, this process is quite an undertaking, with thousands of records being updated during this task alone.

In addition to updates, the team is also responsible for supporting the MMA e-business platform. These duties include resolving registration or ordering issues, updating products and workshops, and accepting the feedback from our members necessary to improve the e-business module.

This type of work requires dedicated and hard-working individuals. It is rarely the case that the pace of activity slows, as daily updates are critical to maintaining the accuracy and integrity of the database.

We look forward to continuing to expand the capabilities of this system and to offer new services to meet the needs of our municipal members.

Meet the Membership Database Services Team

Val Pomerleau / *Membership Database Team Leader*

Val has worked for MMA for 32 years, joining the membership database team when it was formed in 2020, after having already worked with the membership database since its inception. As the most senior member of the team, Val serves as the membership database trainer for new employees and the escalation point for any issues that require more in-depth analysis. Val has an incredible amount of institutional knowledge and enjoys working with members to pursue their goals. In her spare time, Val likes to crochet and is an avid reader who keeps books in her car to add to mini library boxes in her travels.

Michelle Harrington / *Membership Database Specialist*

Michelle has worked at MMA for 17 years. She has a great deal of institutional knowledge and is very dedicated and meticulous with her work. Michelle has an exceptional skill set with various tasks and is quick to resolve issues and aid MMA's members. She joined the Personify Team in October of this year, having worked with the database in various roles during her career at MMA. Michelle loves animals and traveling.

Jen Stiles / *Membership Database Specialist*

Jen has been with MMA for 15 years and joined the team in 2021 after working within the Educational Services Department. Jen's experience in working with members and affiliate groups has added some incredible insight for improvements to the system. She is an excellent team player and has worked diligently and consistently to help our members with all their training, membership, and a variety of other needs. Jen is a huge Hello Kitty fan and enjoys attending the Central Church.

Brittany Hartman / *Membership Database Clerk*

Brittany was an inaugural addition to the team but is the newest in terms of employment at MMA. In 2020, Brittany started her career in the Central Services Department and has grown into the membership role. She enjoys correcting data issues, improving productivity, and providing new insights and ideas. Being newer to MMA gives Brittany a unique perspective and has helped to create a collaborative working relationship with longer-serving team members. Brittany enjoys spending time with her kids and doing projects around the house.



Helpful Resources

available to you!

If you need assistance:

Contact the Membership Database Services team directly via email at personifyrequests@memun.org.

We update our database daily from many different sources such as news articles, phone calls, contact updates from visits to our members, to name a few.

If you are trying to register someone through eBiz for a workshop they must be in our database with a valid email address. If you receive a message stating "We did not find the email address in our system, please contact MMA for further assistance," please contact the team via the email above so we can add to or update our information.



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.

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Collaborative Firefighter Training Services

With assistance from the Maine Fire Service Institute within the Southern Maine Community College, municipalities can access much needed advanced training programs.

By Stephanie Bouchard

Municipalities often have limited resources to put toward non-mandatory training for their fire departments, but everyone recognizes the value of being trained on more than the basics – especially those who are depending on their fire departments to have the skills to help no matter what the type of emergency.

Training can be hard to come by, especially for communities located far from population hubs, and smaller fire departments often do not have the resources to do their own trainings. But fire departments in Maine of all sizes can tap the resources and expertise of the Maine Fire Service Institute (MFSI).

Currently headquartered on the former naval base campus in Brunswick, MFSI got its start (then known as Maine Fire Service Training) in 1958 as part of the state's Department of Education. Today it is a department within Southern Maine Community College that offers statewide training and education to fire service professionals. It serves as the certifier of the state's Fire Fighter, Fire Instructor, and Fire Officer programs, and, per state law, is the state representative to the National Fire Academy.

MFSI is funded primarily through the fire insurance premium tax on fire insurance policies and the community college system, but also gets some funding from the state's general fund and the National Fire Academy, said Jim Graves, MFSI's director.

"Our role is to provide opportunity to the fire service in collaboration with the state chiefs and other fire service stakeholders," Graves said. "What we try to do here is offer those opportunities."

To that end, in addition to professional certifications, MFSI offers a



Farmington Fire Training Facility - MFSI Skills Exam 2021 (Submitted photo)

variety of resources to fire service professionals. Most often, resources are trainings, but sometimes "resources" means acting as a sounding board or in an advisory capacity to tackle administrative, policy, or other situations that come up in the course of running a fire department, Graves said.

MFSI is a "big value," said Tim "TD" Hardy, Farmington's fire chief, "just because of the assets they bring, both from instructors and training to materials and props that they provide. We can't necessarily go out and buy all these different props, but the props that we're able to use and bring up – even for our in-house department training – is a huge benefit to our members' training."

The types of props and equipment that can be borrowed from MFSI include forceful entry training doors,

pump trainers, mobile mazes, propane and car fire trainers, hand and power tools, fire extinguisher training systems, rescue manikins, and smoke machines.

"The idea here is to allow your teams to have that experience before they actually have to be in an emergency scenario like that," Hardy said. "Forceful entry is a big one. Our people don't force commercial entry doors on a regular basis like some city fire departments might, so we practice that periodically and having that asset to practice with is a huge benefit."

Being able to work with MFSI has allowed Fryeburg's fire department, which, like many fire departments has limited staff members and resources, to widen its training footprint, said Andrew Dufresne, that town's fire chief and emergency management director.

Stephanie Bouchard is a freelance writer from Nobleboro and regular contributor to Maine Town & City, stephanie@stephaniebouchard.net.



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“(With MFSI) we were able to really expand that by bringing the entire service to the table.”

When Dufresne was hired as Fryeburg’s fire chief in September 2016, one of the first things he did was to ask the firefighters of the town’s on-call department what the lay of the land was. He repeatedly heard a recurring theme from them and from others related to the fire service: people were eager to get training but there was a gap in training availability.

To try to bridge that gap for Fryeburg and its mutual aid partners, Dufresne, who is a certified fire instructor, began writing grants to fund their own trainings for Fryeburg’s fire department, and to the extent possible, the town’s mutual aid partners.

MFSI’s wide range of available trainings, props and other equipment for training, instruction quality, and classes that lead to professional board certifications have led the department to work with MFSI more and more over the last couple of years, he said.

Writing grants for training for his own department was successful, but grant writing is time-consuming, cumbersome, and is sometimes constraining, Dufresne noted. Being able to work with MFSI has broadened and increased the opportunities for the Fryeburg fire department, its partners, and the region.



State Fire Instructor Michael Robitaille instructs Basic Fire Pumps in Fryeburg Maine 2022. (Submitted photo)

“Our relationship with the Maine Fire Service Institute has blossomed,” he said, to where they’re now not just attending trainings but working hand-in-hand with MFSI on planning and implementation of training programs. “They are very talented at the work that they do,” he said. “They bring lots to the table from that perspective.”

Recent training projects Fryeburg has done with MFSI include a fire officer professional development course, a pumps and hydraulics class, and a propane class with classroom and tactical exercises to train for handling propane emergencies.

“Those were just types of classes that would’ve been a lot of effort on



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Visit the MMA website For more information: www.memun.org

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our behalf to put together,” he said. “It made it quite easier to bring those folks to the table, as well as their ability to bring others to the table, to train with us.”

With its statewide reach, MFSI has the ability to create collaborations that result in getting more fire service professionals to training, and to do that as cost-conservatively as possible, said Jim Graves, who, before becoming MFSI’s director, served for 12 years in Waterville’s fire department as a firefighter/EMT and with the state fire marshal’s office. Many of the resources MFSI offers are free or low cost. When there are costs to a municipality for its services, MFSI tries to find solutions to spread out the cost, he said.

In Hardy’s experience in arranging trainings for Farmington, partnering with MFSI not only brings MFSI’s experienced instructors in, but also opens opportunities for cost sharing, he said. For recent trainings, costs were shared between Franklin County’s firefighters’ association, each of the towns sending trainees, and MFSI.

While most municipal fire departments look to MFSI for training resources, Graves likes to point out that municipalities can use the professional development opportunities MFSI offers as a retainment and recruiting tool.



State Fire Instructor Chris Poremby - Instructing Ventilation Practices Submitted photo)

In a time when attracting and retaining firefighters, especially on-call volunteers, is particularly tough, being able to offer professional development training opportunities through MFSI can be useful for municipal fire departments. Hardy said that last year,

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Farmington sent five people to a training program. For various reasons, two of those trainees are no longer active, but “We’ve ended up with three people that are trained firefighters available to help our town,” he said.

As more employers raise wages and offer perks to entice potential employees and keep the ones they have, municipal fire departments are finding it increasingly difficult to compete with those employers. Municipal fire departments do not have the finances to offer large salaries, Graves said. They can, though, offer through MFSI professional development courses that can lead firefighters to additional sources of income and/or advancements in their careers.

Hardy, for example, took numerous different courses through MFSI, including instructor certification, to

expand and broaden his skill set. “A lot of my opportunities have come from instructing,” said Hardy, who, in addition to his role as Farmington’s fire chief, works with MFSI as an instructor. “When you start working in that field, it opens you up to a lot.”

More importantly, from Jim Graves’ perspective, is that the more people that can be recruited to and retained in fire departments, and the more expertise they can get, the better it is for the residents of the state. “We want to pull people into the profession, and we want them to serve their communities because that’s how we were all raised: to serve your community,” he said. “We’re just trying to do what’s right for the people of the state of Maine.”

To learn more about MFSI and see what it offers, go to <https://mfsi.me.edu>. ■

ELECTIONS ELECTIONS ELECTIONS

Has your town had its election?

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Training Opportunities

MAINE MUNICIPAL ASSOCIATION & AFFILIATES/2022 TRAINING CALENDAR

OCTOBER

10/26	Wed.	Customer Service Excellence (NEW!)	Augusta - MMA	MMA
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
11/10	Thurs.	The ABCs of Assessing - for Non Assessors	Zoom Webinar	MMA
11/16	Wed.	Elected Officials Workshop	Zoom Webinar	MMA
11/22	Tues.	Advanced Excel training	Augusta - MMA	MAAO

DECEMBER

12/2	Fri.	MWDA Winter Issues Workshop	Augusta - MMA	MWDA
12/2	Fri.	MTCMA/MMANH Joint Workshop - Leadership Exchange	Portsmouth, NH - Sheraton Harborside Hotel	MTCMA
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
12/13	Tues.	Planning Board/Boards of Appeal	Zoom Webinar	MMA
12/19	Mon.	Understanding the Freedom of Access Act	Zoom Webinar	MMA
TBD	TBD	Small Claims	TBD	MMTCTA



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

Use the following link:

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

People

Franklin County Commissioner **Clyde Barker** died Sept. 3. He was 82. Barker was remembered for his service, which he was forced to give up in early June because of heart disease. He said it was the hardest decision he made in his public service career. Barker was serving his 12th year on the board. He is a former director of the county Emergency Management Agency, serving 13 years before resigning in 2003. He worked for the Franklin County Sheriff's Office in various positions over several years. He was a former Wilton police officer and volunteer firefighter. He also served on the Wilton select board for several years. Gov. Janet Mills appointed **Robert "Bob" Carlton** of Freeman Township to finish Barker's term.



Michael "Peter" Chase

Rumford Selectperson **Peter Chase** died Aug. 25 at the age of 69. He joined the town fire department after graduating from Rumford High School and served for 25 years. He was serving his third term on the select board at the time of his death. Chase was loyal to his hometown – and it showed in his service, Town Manager **Stacy Carter** told *Maine Town & City*. "He was instrumental in the community," he said. "He was a Rumford guy for certain. He lived here all his life. He will not be forgotten."



Michael Crooker

Winterport Town Manager **Michael Crooker** has been named Hancock County administrator. Crooker managed Bradley and Glenburn before taking the Winterport job. He also is a former Bangor assistant city manager. He replaces **Scott Adkins**, who resigned in July. The Newburgh native earned a master's degree in public administration from the University of Maine. Crooker said he was attracted to the job because there are only 16 county administrators, making the job search more competitive. He was set to begin his new job on September 1.

Gardiner Public Works Director **Jerry Douglass** has been named Durham town manager. Douglass, of Brunswick, earned two bachelor's degrees in public management and parks and recreation from the University of Maine. Douglass said managing a town has been a goal for him, after working decades with municipalities in both public and private settings. Interim Town Manager **Mitch Berkowitz** will work for a few more weeks to help with the transition. Douglass' first day was set for August 22.



Tim Hardy

Tim "T.D." Hardy has been named Farmington fire chief to replace **Terry Bell**, who resigned last November. Hardy, who has served as interim chief for eight months, has worked for the department for 25 years. He has held the position of firefighter, senior fire instructor and captain. He also serves as Livermore Falls fire chief and EMT for NorthStar. He currently holds numerous certifications and serves as the training coordinator for the Franklin County Firemen's Association. Officials said Hardy's community involvement and leadership skills made him a perfect fit for the top job.

Bangor Economic Development Director **Tanya Emery** resigned in September, effective October 10, to join the Maine Connectivity Authority as its new economic development director. The authority was created in 2021 to expand broadband access across the state, particularly in remote, rural areas. During her tenure, the assessed value of the city's 400 businesses grew by 40 percent. She said she's most proud of her work to help C&L Aviation Group resettle in Bangor from Australia. Emery plans to stay in Bangor.

Recreation director **Patty Hesse** has retired and plans to move out of state after a 35-year career with the town of Oxford – including 32 years with the rescue department. She joined the town's rescue department as a student in 1987. Once she finished training, she joined the department and eventually was named chief. She remained in that position until the service merged with the

Oxford and Otisfield fire departments. She was named deputy chief and worked under five chiefs during her tenure. She was named recreation director in 2018. She told a local newspaper she would miss "the people and trees" when she moved to Arizona to be near family.



Jo Josephson

Maine Municipal Association alumna, **Marilyn "Jo" Josephson**, died Sept. 12 at the age of 81. Josephson was known at MMA for her passion for the environment and human rights and her love of local government. She wrote for MMA's monthly magazine from 1990 to 1999, before stepping aside to pursue other opportunities. She studied biology at Columbia University and wrote for what is now known as *Maine Today Media*. She served in West Africa as a Peace Corps volunteer in the 1960s and worked in Manhattan teaching school in the South Bronx, among other efforts, before moving to Maine with a "back to the land" mindset. A celebration of her life was set for October 1 at the Temple Town Office.



Erica LaCroix

Winslow Town Manager **Erica LaCroix** has been recognized as a Rising Star by the Maine Town, City and County Management Association. The Rising Star award recognizes a manager who has worked in the field less than five years. It highlights the new vitality and professionalism they bring to the job. LaCroix, who has 25 years of experience in municipal and state government, was nominated for her ongoing work – both on projects and people. LaCroix has continued work on the town's beautification program and infrastructure upgrades, as well as working to boost the town's tax base and employees' salaries. LaCroix has worked as a budget analyst for the state of Virginia's transportation department, as well as senior administrator for the operations division of the Michigan Public Service Department. LaCroix was hired as manager in 2020. ■

NEWS from Around the State

HOULTON

People of “sound character” but no experience will be invited to apply to join the town police department, which is facing a nearly 50 percent job vacancy rate. In fact, officials will advertise “no experience preferred” so recruits can be trained in the ways and policies of the Houlton department rather than a general police officer’s education and training. The police chief and his staff were grateful for the support of the town council and the public in moving forward with the proposal. Officials hope that men and women who are trained to be Houlton law enforcement officers will be less likely to move on to other jobs. Recruitment, and retention, are both needed to resolve the ongoing worker shortage in the field of policing and most other fields in municipal government. In a 2021 survey, law enforcement groups and departments reported an 18 percent increase in resignations and a 45 percent increase in retirements. The Baby Boomers are now retiring, but recruitment for police has been especially difficult because of the high-profile police misconduct cases across the country, which have caused general negativity about the profession. Also, COVID-19 “pandemic fatigue” is a factor, as well as pressure from family to change employment.

SACO

The state Mountain Division Rail Use Advisory Council has recommended paving a 10-foot path where abandoned railroad tracks wind through parts of Oxford and Cumberland counties. The project was highly favored at public meetings. The council concluded the paved pathway would be the best use of the trails until rail returns to the region – if it does. The pathway will accommodate bikers and

disabled users and serve as a snowmobile trail in the winter. The council also believes the new trail will lure more businesses and visitors along its route. The Legislature, which convenes in January, will be asked to finance engineering and construction of the project.

SANFORD

The city has won a \$25 million federal infrastructure grant to transform the downtown from empty storefronts and hobbled sidewalks into an attractive and busy urban district. The Sanford revitalization plan will also be bolstered by another \$10 million in state and local financing. Plans include rebuilding roads and sidewalks in the center of the downtown, as well as installing energy-efficient streetlights and enhancing parking areas. The SanfordNet fiber-optic network will be extended into the downtown and mill district. A new park-and-ride lot will benefit the more than 500 residents who work at Portsmouth Naval Shipyard in New Hampshire – the greatest concentration of shipyard workers in Maine. The project also includes finishing the Mousam Promenade pathway, a 1.5-mile trail around Number One Pond. It will connect to the local trail system in southern Maine. City officials hope the new downtown will improve life in Sanford, attract more tourists and benefit small businesses. The city of Bangor also clinched funding from the federal infrastructure law passed last year. It will receive \$24.6 million to replace old sections of the Hogan Road.

SKOWHEGAN

The U.S. Commerce Department has awarded the town a \$5 million grant to complete the first phase of construction of the Skowhegan River Park. The project can now move forward with the infusion of new

money. The park has been planned for years but has now caught the attention of the federal government. The money is part of the American Rescue Plan Act, a \$1.9 trillion COVID-19 pandemic relief package passed last year in Congress. Maine communities are now beginning to receive funding through a separate infrastructure law. The park proposal envisions an adjustable wave on the Kennebec River, allowing for whitewater rafting and other recreational enterprises. The left side of the river will be used as a fish passage. The project includes constructing 50 miles of trails throughout the Greater Skowhegan area. The park will be accessible from a downtown stairway and feature a promenade and audience seating. The plan is expected to draw more outdoor enthusiasts to the region, as well as tourists and other visitors.

THOMASTON

Town leaders decided to rent a dozen goats this summer to help clear grass and brush from a town-owned solar array. Goats are efficient, tolerant and eat regardless of the weather conditions. Goats will eat even poison ivy or invasive plants to satisfy their appetites. The town owns an array of 1,290 solar panels on a town-owned parcel of land. Traditional clearing methods, such as mowing and trimming, could damage panels. The goats are small enough to fit under and around the entire array. ■

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Legal Notes

PROPERTY TAX YEAR VS. FISCAL YEAR

Question: We've seen the term "tax year" used in statutes and in MMA Legal Services materials. Are the municipal tax year and fiscal year the same?

Answer: No, although they are often confused.

State law defines the property tax year as the period between April 1st and the following March 31st. See 36 M.R.S. § 502. This is a uniform time frame intended to allow for equitable valuation of property across the state. All real and personal property is valued based on its status (ownership and value) on the first day (April 1st) of each tax year. Exemptions from property tax are also determined based on the tax year.

Property taxes assessed based on an April 1st status are "committed" to the collector later in the same tax year after municipal budget needs have been determined. Property tax bills and lien notices reference taxes assessed and committed during the tax year. Municipalities have no home rule authority to alter the statutory property tax year from April 1st through March 31st by local vote.

The municipal fiscal year (FY) is a 12-month period (except during transition to a new FY) determined locally, which corresponds to the dates a municipality opens and closes its books for the annual budget. The fiscal year is used primarily for budgeting and auditing purposes. The municipal officers (select board or council) may determine or change the municipal FY unless otherwise provided in a municipal charter. See 30-A M.R.S. § 5651. Any twelve-month period may be chosen. In the past, most municipalities operated on a calendar year FY (January 1st to December 31st). However, many municipalities have now adopted a July 1st to June 30th fiscal year, which also corresponds to the statutorily mandated FY for schools. See 20-A M.R.S. § 15003.

For more information on both topics, see MMA Legal Services Assessment Manual and our information packet on "Changing the Municipal Fiscal Year," available at no charge to members on our website (www.memun.org). (S.F.P.)

MUNICIPAL CALENDAR

OCTOBER — Registrars of voters must accept registration prior to the November election (if held) according to the time schedule for their population group (21-A M.R.S. § 122(6)), and shall publish the schedule for accepting voter registrations in a newspaper having general circulation in the municipality at least 10-15 days before election day. In municipalities of 2,500 or less population, the schedule may be published by another means deemed sufficient by the registrar. (21-A M.R.S. § 125)

The voter registration schedule established may be changed by the municipal officers according to the needs of the municipality 21-A M.R.S. § 122(8).

ON OR BEFORE OCTOBER 31 — Employees required to deduct and withhold tax quarterly shall file a withholding return and remit payment as prescribed by the State Tax Assessor (36 M.R.S. § 5253).

BY NOVEMBER 1 — Any holder of property presumed abandoned under 33 M.R.S. § 2091 must file a report covering the 12 months preceding July 1 of the last year to the Administrator of Abandoned Property in the State Treasurer's Office, except that certain life insurance, gift and stored-value property must be reported by May 1. (33 M.R.S. § 2093).

BY NOVEMBER 1 — Or 30 days after property taxes are committed, whichever is later, the municipal assessors and assessors of primary assessing areas must file a municipal valuation return with the State Tax Assessor on forms supplied by the State Tax Assessor (36 M.R.S. § 383).

NOTE: Failure to timely file this return could result in loss of tree growth reimbursement (36 M.R.S. § 578).

BY NOVEMBER 1 — Local Roads Assistance Program (LRAP) forms certifying how the previous fiscal year's LRAP funds were expended are due at Maine DOT Community Services Division by Nov 1. Annual certification is required for a municipality to receive LRAP funds. (23 M.R.S. § 1804).

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

MUNICIPAL DEBT LIMITS

(Reprinted, as revised from the January 2015, *Maine Townsman*, "Legal Notes.")

Members often ask if there are limits on how much debt a municipality in Maine can carry. The answer is yes, there certainly are.

According to 30-A M.R.S. § 5702, a municipality cannot incur total debt, not counting debt for schools, storm or sanitary sewers, energy facilities, and municipal airports exceeding 7.5% of its last full state valuation of all taxable property.

There are also limits on most of these exclusions: school debt cannot exceed 10%; storm or sanitary sewer debt cannot exceed 7.5%; and municipal airport debt cannot exceed 3%. (The benchmark, again, is the municipality's last full

state valuation.)

But when all debt, including the exclusions, is combined, total debt cannot exceed 15% of the municipality's last full state valuation.

For purposes of statutory debt limits, "full state valuation" means the state valuation most recently certified by the State Tax Assessor pursuant to 36 M.R.S. § 381, adjusted to 100%.

Note that a municipality may set lower (but not higher) percentages or amounts than those established by statute.

Also noteworthy is that the statutory debt limits do not apply to borrowing in anticipation of taxes, revenue-sharing or state or federal aid, among other things (see 30-A M.R.S. § 5703). (R.P.F./S.F.P.)

Legal Notes

“SECTION 906 ORDERS” AND UNPAID PROPERTY TAXES

Question: Can a taxpayer with multiple years of unpaid property taxes be compelled to pay off the older taxes before paying newer taxes on that property?

Answer: Yes. A “Section 906 Order” (named after 36 M.R.S. § 906) authorizes the municipal officers, upon the tax collector or treasurer’s request, to require that tax payments be applied against outstanding or delinquent taxes in chronological order beginning with the oldest unpaid bill on a specific property. Once adopted, a Section 906 Order prevails regardless of the taxpayer’s directions or intention. But there are three important limitations.

First, a payment can be applied only to older taxes due on the specific real or personal property for which the taxpayer’s payment was tendered. This means that a payment made on real estate taxes cannot be applied to personal property taxes owed by the same taxpayer. Nor may a payment made on one parcel of real property be applied to another.

Second, a payment cannot be applied to taxes for which an abatement request or appeal is pending unless the taxpayer consents in writing.

Third, the order generally may not be enforced against a taxpayer who has filed for bankruptcy; instead, tax payments involving a bankruptcy case usually must be applied as directed by the bankruptcy court.

A Section 906 Order applies to both personal property taxes and real estate taxes (subject to the limitations above). It applies to taxes subject to a property tax lien and to taxes for which the lien process was defective or not initiated for some reason. As a result, it can be a useful collection tool in cases where a taxpayer seeks discharge of a lien for recent taxes but otherwise might not wish to pay older outstanding taxes.

Unlike some other statutory options for the municipal officers (e.g., treasurer’s disbursement policies), a Section 906 Order does not need to be renewed annually; it is valid and binding indefinitely unless the order itself provides otherwise. Nevertheless, it is recommended that the order be renewed

periodically when individuals holding the positions of collector or treasurer change or the membership of the municipal officers turns over.

A model “Section 906 Order” appears below and in the appendix to MMA Legal Services Tax Collectors & Treasurers Manual. (S.F.P.)

STATUTORY RECALL PROCESS ALMOST NEVER APPLICABLE

Recently, we’ve received a slew of inquiries from municipal officials who assume they must follow recall procedures set out in a rarely applicable statute (30-A M.R.S. § 2505) whenever citizens seek recall of an elected municipal official.

Let’s be clear: this is not the case.

Maine law contains no generally applicable recall procedure allowing for the removal of an elected municipal official. However, state law, at 30-A M.R.S. § 2505, does provide a recall process in one extremely rare circumstance. Section 2505 and its procedures apply ONLY in cases where no local charter or ordinance authorizes recall and ONLY IF the official in question was convicted of a crime committed while in office, the victim of which is the municipality itself. The procedures in section 2505 do not apply in any other circumstance.

In all other situations, an elected municipal official may be recalled only if a locally adopted recall procedure has been established. A municipality is not required to provide for recall at all; however, if desired, 30-A M.R.S. § 2602(2) authorizes any municipality, under its home rule authority, to provide for the recall of any elected official other than a school committee member by either charter or ordinance. A school committee member may be recalled only pursuant to a municipal charter provision.

Except in the rare circumstance covered by 30-A M.R.S. § 2505, all aspects of a local recall process (e.g., content and filing of petitions, conduct of recall election) is governed solely by the municipality’s charter or recall ordinance – if any.

For more on recalls see Maine Townsman, “Legal Notes,” “Recall of Local Officials: A Primer,” October 2013, and “Recall Revisited,” September 2011. (S.F.P.) ■

ORDER OF THE MUNICIPAL OFFICERS 36 M.R.S. § 906

The Municipal Officers of _____, upon request of the Tax Collector and/or Treasurer of said municipality, hereby require and direct, pursuant to 36 M.R.S. § 906, that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that same property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment shall be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

This Order shall remain in effect until rescinded by the Municipal Officers.

Dated: _____ Municipal Officers: _____

ACKNOWLEDGEMENT

I/We, the Tax Collector and/or Treasurer of said municipality, hereby acknowledge making the aforesaid request and receipt of a copy of the above Order.

Tax Collector/Treasurer

Dated: _____

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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