

Maine Town & City

The magazine of the Maine Municipal Association

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Where In Maine?

Wiscasset!



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RISK MANAGER

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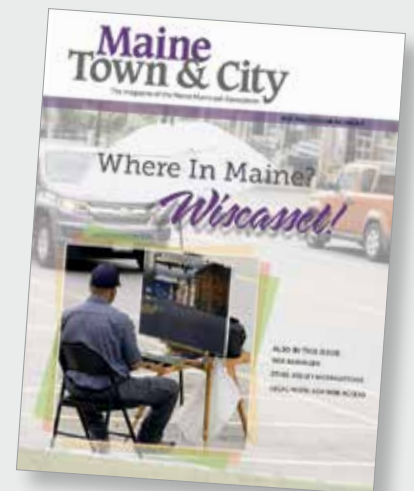
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The Importance of Networks

By Catherine Conlow, Executive Director



Ah, summer...the promise of warm days, completed budgets, and some time off. Also, a time when MMA and many of the affiliate municipal organizations in Maine play host to summer conferences and networking events. For many of us, the idea of networking and conferences conjure images of chicken dinners, lukewarm coffee, and small talk. We live in busy times and the thought of separating ourselves from already exhausting schedules to attend a conference or network with our peers seems daunting and less valuable than staying in the office to plow through that “to do” list. After all, that inbox isn’t getting smaller! As we list the reasons to skip out on these opportunities, thanks to post pandemic Zoom options, we are presented with the ultimate “out” allowing us to attend training without ever leaving the office. When choosing not to attend these events, we convince ourselves that training and networking amount to a loss in productivity that costs our taxpayers money. At times, I have shared those feelings.

However, over the years I have managed to rally past those thoughts and decided to attend events hosted by my professional association. In the end, I am always glad I attended as the experiences of learning and connecting have left me energized and eager to share what I have learned.

As you evaluate your summer professional development and networking options, consider the positive aspects of these events.

Specifically, conferences allow you to learn first-hand what is and is not working in other communities. Unlike my good friend Google, conferences provide opportunities to ask follow-up questions of peers and engage in deeper discussions. Those conversations frequently provide insight into what made a project or program successful and expose potential challenges or pitfalls that might be faced. Even if a particular project topic is not relevant to your community, there is value in learning how a project was approached in a particular community.

Once I attended a session on the economic opportunities of parks and open space, only to learn that the session was about how one community built a zoo. While I love zoos, I couldn’t see myself recommending that Orono build a zoo as an economic development project. Stuck in the session because I was sitting near the front, I pulled out my phone

with the intent of stealthily answering emails. As I half listened, my interest was piqued when the speakers discussed important strategies for building community consensus for a particular project. What community or professional hasn’t recommended a project that needed new strategies for public engagement? So, while the zoo idea was completely irrelevant to me, the strategies employed by members of the presenting community gave me ideas

on how to build consensus around my own projects. In summary, it is rare when a conference session offers a turnkey answer to a community problem, but it is equally rare when it doesn’t stimulate some thoughts on how to improve a program or process.

The second important aspect of conferences and networking events is the opportunity to connect with professionals who are doing the same work. It is easy to believe during difficult moments that we are alone in our work. But through personal professional connections, we find mentors, peers and friends with shared experiences, who leave us with the knowledge that we are not alone.

To that point, many leadership scholars talk about the value of establishing “informal boards,” which include the individuals we have identified as our trusted peers and advisors. Think of it as a fantasy football league, where despite your drafted athlete’s team affiliation, or in our case, community, you create a go to dream board, replete with your favorite finance guru, HR aficionado, and culvert expert. A newly made friend or peer can develop into a trusted relationship and a career-long sounding board for concerns or new ideas. These are invaluable relationships that have served me well throughout my career.

While attending conferences and networking might seem like a chore at first, they are essential tools for career growth and development. They offer us perspective on our own careers and communities, open doors to new ideas, and connect us with peers who can support our professional journeys. Plus, with the right attitude and a sense of humor, these events can turn into enjoyable social experiences.

Next time you’re dreading a conference or networking event, remember that behind every session and awkward conversation is an opportunity for growth, learning, and friendship. 🏔️

Ethel N. Kelley Memorial Award

MMA's Most Prestigious Award

Now Accepting Ethel Kelley Memorial Award Nominations

MMA is pleased to announce that nominations for the 39th Annual Ethel N. Kelley Memorial Award will be accepted until Friday, August 2, 2024, at 5:00 p.m.

This distinction, the Association's most prestigious, provides MMA members an opportunity to recognize and celebrate the accomplishments of a dedicated elected or appointed Maine municipal official. The award's namesake, Ethel N. Kelley, a.k.a. MMA employee of the century, worked for the Association since its founding in 1936 until her death in 1986. Ms. Kelley devoted 45 years of service to MMA, and this annual award honors her dedication to local government.

The award was created to recognize municipal leaders, employees and volunteers in our communities that go above and beyond expectations to provide services to our residents. They are the people in our towns and cities who always step up to the plate to serve on boards and commissions, and whose vital contributions often go unnoticed.

If this describes a municipal leader, employee or volunteer in your community, please take this opportunity to shine a light on that individual's contributions to local government service.

This year's winner will be announced at the opening of the member appreciation reception on the first evening of the MMA Annual Convention, to be held in Augusta on October 2 and 3. All eyes will be on your community's superstar, as conventioners gather to celebrate the 2024 winner's accomplishments.

For more information about the award and nomination process, as well as access to an application form, please visit MMA's website at <https://www.memun.org/About/Awards>. Questions about the process should be directed to Kelly Maines, Executive Office Administrative Coordinator at kmaines@memun.org or 1-800-452-8786.

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Ransomware Attacks

While cyber-attacks on municipal governments are on the rise, there are several options available to help protect communities.

By Stephanie Bouchard

Oakland, California; Lowell, Massachusetts; 22 towns across Texas; Presque Isle and Augusta, Maine. Despite the differences in location and size, all the municipal governments in these locations have something in common: they have all been victims of ransomware attacks.

Ransomware attacks on municipal governments have been increasing globally and even here in Maine where it is easy to think that our towns are too small to get the attention of cybercriminals. “If you’re connected to the internet, ransomware is a huge threat against you, especially being in the state, local, tribal, territorial (SLTT) sector,” said TJ Sayers, director of intelligence and incident response for the Center for Internet Security (CIS).

CIS, a nonprofit headquartered outside Albany, New York, is home to the Multi-State Information Sharing and Analysis Center (MS-ISAC), a cyber threat resource specifically for U.S. state, local, tribal, and territorial government entities. Membership to MS-ISAC is free for municipal governments, and it offers many solutions, tools, and services that are no cost, or low cost, said Sayers.

In the twelve months leading up to the second quarter of 2024, the MS-ISAC tracked nearly 250 SLTT-related ransomware incidents, Sayers said. “The overall total is almost certainly exponentially higher, since these numbers are a sample size based on membership reporting, open sources, and data from our security offerings,” he noted.

The FBI’s Internet Crime Complaint Center (IC3) reported that in 2023, it received nearly 1,200 complaints from organizations within the critical infrastructure sector, which includes government facilities, water and wastewater systems, communications, emergency services, transportation, and energy. Of the 1,193 complaints, government facilities reported 156 ransomware complaints, the third highest, following critical manufacturing (218) and healthcare/public health organizations (249).

In comparison, in 2022, IC3 received 870 complaints

from organizations within the critical infrastructure sector, 115 from government facilities. That’s an increase of more than 30% in a year for government facilities, and while some of that increase may be because more organizations are lodging complaints with the IC3 rather than more attacks are happening, security experts are seeing firsthand that ransomware attacks on municipal governments are increasing.

“(Ransomware is) by far the leading cybercriminal, financially motivated attacks that are out there currently. We see it impacting SLTT to a huge, huge degree,” Sayers said.

Municipal governments, even small, rural ones like in much of Maine, are fantastic targets for cybercriminals, Sayers explained. Cybercriminals are looking for organizations that: (1) have money; (2) provide critical services for which those organizations will be under enormous pressure to get back up when they’re frozen in a ransomware attack; and (3) have sensitive data. “That’s the municipal space, basically,” he said.

What makes Maine municipalities a particularly tempting target is that the state has many small communities with technology that is not always up to date. Over the Fourth of July holiday in 2021, a ransomware attacker got access to Limestone’s water and sewer department through a computer running an old version of Windows. While no taxpayer or ratepayer information was compromised in that attack, it demonstrates the vulnerability of municipalities relying on old technology.

“A lot of these older systems that we have up here . . . are older and out-of-date because they cost so much to replace,” said Zach Dunn, manager of educational content for the University of Maine at Augusta’s Maine Cyber Range (MCR), a cybersecurity education and training program.

The MCR team and its students are currently working with eight municipalities, in addition to other non-governmental organizations, to identify technology weaknesses, eliminate or mitigate those, and train

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

municipal staff in how to identify potential threats and what to do if there's an active cyberattack. MCR, which is grant-funded, does not charge municipalities for the team's services.

When the vulnerable systems of communities with older and out-of-date technology are connected to the internet, they are low-hanging fruit for cybercriminals. "If you have sensitive data, anything of value, and if they can find their way into your network, they will obviously encrypt your whole network and demand money," Dunn said. "It's going to happen."

It happened to Augusta in April 2019, even though the state's capital city had current tech and firewalls to protect the network.

"It was one of those emails 'click on this link' and it looked like something that was legitimate," said Jared Mills, who was police chief in Augusta when the ransomware attack happened and today is the city manager.

Back in 2019, city staff didn't have the education and training that currently is in place, said Mills, so the employee who clicked on the link that launched the attack had no idea what clicking on that link would cause.

What happened was a cybercriminal froze the city's networks and demanded a ransom that city officials characterized as more than \$100,000. The city was forced to shut down for two days while its IT team and a contracted private security company rebuilt the network from backups.

After the city was up and running again, the IT team took a hard look at what the city had in place that worked, what didn't work, and what was there that could be improved. Among the changes made were the addition of enhanced network scanning software and backup systems that ensure a quicker recovery if needed, a next-generation firewall that provides threat intelligence as well as prevents intrusion, and regular end user trainings to educate staff members across the city so they are better able to identify potential threats and avoid them, and to train them on what to do if security is compromised.

That investment after the ransomware attack wasn't a one-and-done situation, Mills said. Tech security is always a priority in the budget. "I've sat there with our IT department, with the software we have, and we're just looking at one attack that's prevented after another. I mean, it's literally thousands upon thousands of hits daily of just people trying to break through our firewalls and trying to get our information," said Mills. "It's happening so frequently that it has to be a priority."

You don't necessarily have to have an IT staff or a budget that allows for significant tech and security investments every year to protect your systems, Dunn and Sayer said. They offer some tips for making your systems safer, and on what to do if your municipality is hijacked by a ransomware attack:

- Backup, backup, backup. Have separate backup hardware that is used on a regular basis but kept offline except for when backups are done. By having your backups stored on a device that is not connected to your system all the time, cybercriminals will not be able to encrypt your backups and you will be able to restore your network with clean data.
- Keep your software up to date. That means downloading software updates and patches promptly, Sayer said, because cybercriminals know how to read patch notes and they are counting on people to postpone downloading them. They will exploit that delay to their advantage.
- Raise awareness by training all your staff on what to look for in suspicious emails, and what to do if a ransomware attack happens. Knowing is half the battle, and every person on your staff has a role to play in cybersecurity, even if they know nothing about technology, Dunn said.
- If you are running old software on a computer, if possible, segment that computer (or computers) off the main network and make sure that computer is not connected to the internet.
- Segment your network. Split things up so the entire network can't be accessed from one entry point. Have firewall rules in place that prevent moving across certain segments in the network. That will help slow down an attack because it won't be able to spread quickly through the system.
- A logging system should be in place – meaning whenever someone signs into a computer or an application, makes changes to a file, checks their email, etc., a log of that user activity is created. Those logs will later allow forensic investigators to figure out how cybercriminals got into your system.
- If ransomware takes over, disconnect from the internet all computers/devices that don't need to be connected.
- Take advantage of no-cost or low-cost services such as those offered by the Maine Cyber Range (<https://www.uma.edu/academics/programs/cybersecurity/maine-cyber-range/>) and the Multi-State Information Sharing and Analysis Center (<https://www.cisecurity.org/ms-isac>). 🇺🇸

Winners of the Douglas M. Eugley Memorial Scholarship for Public Service

By Rebecca Lambert, Municipal Issues Specialist



In 2023, the Maine Municipal Association (MMA) began offering scholarships to high school seniors with the goal of supporting workforce development within public service professions, including municipal government, and encouraging the growth and development of future leaders within our communities. Due to the success of the program, in 2024 MMA's Executive Committee increased the number and the dollar amount of the scholarships to five \$1,500 awards.

MMA values the commitment its own employees show to their communities and encourages staff to be involved and volunteer. Douglas M. Eugley was employed by MMA for 15 years in the finance department as a senior accountant. He was unfortunately diagnosed with cancer in 2020 and succumbed to his illness quickly thereafter.

In life, Doug gave back to his community by serving on the Sidney Select Board for approximately 14 years. After his time on the select board, he filled the role of town moderator and served on the appeals board, and budget committee, in addition to various other roles.

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

Several applications were received and seven were identified as finalists for consideration. A selection committee consisting of three MMA Executive Committee members and two MMA staff members rated the applications based on creativity, chosen major, and their demonstrated commitment to public service.

MMA appreciates all the seniors who applied and are pleased to congratulate the recipients of this year's memorial scholarships.

Cohen Parker

Cohen Parker, a 2024 graduate from Cony High School, plans to attend Husson University in Bangor with a focus on conservation law. Cohen has participated in a diverse set of extracurricular activities while also volunteering for community organizations. He has a deep passion for public service and has used his educational journey to explore occupations in that field. Through that process, he found what was not a good fit for him, which helped to refocus his interests in a different segment of public service.



"Public service isn't just a career path or a series of actions; it's a calling, a way of life characterized by a deep sense of responsibility and a commitment to the common good."

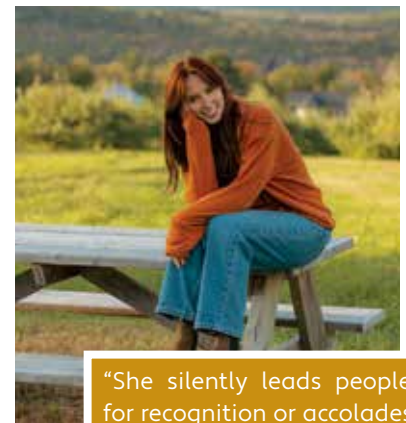
- Cohen Parker

His extracurricular activities and interests have included indoor and outdoor track, soccer, basketball, choir and chorus, and volunteering his time to the Kennebec Valley Humane Society. He consistently seeks out service and growth opportunities and will no doubt be successful in his public service endeavors.

Congratulations to Cohen from all of us at MMA and best of luck in your future!

Tamara Rusakovich

Tamara Rusakovich is graduating from Leavitt Area High School in 2024 and planning to attend Colby College for Environmental Policy with a minor in government. Tamara nonchalantly blew away the selection committee with her creative and impressive presentation on what public service means to her. She was inducted into the National Honor Society and was asked to participate in the gifted and talented social studies program.



"She silently leads people not for recognition or accolades, but simply because of her character."

- Nicole Marcotte, Leavitt Area High School US History Teacher

Tamara is passionate about

the outdoors and holistic health and has channeled the adversity she has faced in her life through the tranquility of the outdoors and nature. Most impressive though is that in addition to staying on top of her education and extracurricular activities, Tamara has sought out an internship position with a local dietician, overseeing her social media programs to further her knowledge and experience with holistic health.

Her teachers have observed that she demonstrates the ability to think critically, make connections, and form new insights that have in turn benefited the whole class. Tamara has the unique ability to motivate and recenter her peers while recognizing that issues have multiple perspectives, and she appreciates those differences.

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

Izzabella Simmons

Izzabella Simmons, a 2024 Morse High School graduate, is planning to attend Central Maine Community



“Izzy embodies the values of honor, integrity, and fairness and has the potential to make meaningful contributions to the field of criminal justice and society as a whole.”

- David Beaugard, Bath Regional Career & Technical Center, Criminal Justice Instructor

College in Auburn to study criminal justice. Izzabella is an intelligent, creative individual who possesses a passion for learning and the legal system. Her activities have included softball, the JMG leadership team, and Waypoint.

David Beaugard, criminal justice instructor at Bath Regional Career & Technical Center, noted that Izzabella “has the drive, dedication, and potential to excel academically and make a positive impact in the field of criminal justice.”

Izzabella’s video submission creatively displayed her awareness and respect for public service professions, particularly law enforcement. She aptly

demonstrated her passion to be part of the solution to build trust not only within the law enforcement profession but in the community as a whole.

MMA is proud to award Izzabella this scholarship and wishes her tremendous success in her future endeavors!

Mercedes Taungatu’a

Mercedes Taungatu’a is graduating from Bucksport High School in 2024 and is planning to attend Thomas College in Waterville for criminal justice studies. Her extracurricular activities have been diverse and intense, including soccer, basketball and track and field, as well as engaging in community service opportunities while working as a counselor at a summer camp.

The most meaningful endeavor to her has been with the Scouts of America organization. She credits her involvement with the program for helping her to become a more generous and self-aware person.

Being a modest individual, it was her letter of reference that shared that Mercedes was one of the first girls to be involved in an all-female troop during one of the rockiest times of transition for the organization. “She has been an undeterred leader of her peers as they endured opposition, body shaming, and segregation at the hands of those who did not approve of the new an inclusive direction in which the Scouts were heading.” She persevered anyway and now claims the rank of Eagle Scout.

As a top ten student, Mercedes has taken steps to attain her law enforcement goals by taking on a rigorous courseload that includes being part of the Bridge program, which offers dual enrollment college courses for credit, as well as the law enforcement program at the Hancock County Technical Center. Despite not being on the high school campus much, she still was active in sports and clubs earning the Penobscot Valley Conference Spirit Award for basketball and a gold medal at the Skills USA Law Enforcement Quiz Bowl.

Mercedes is a dedicated student leader who will no doubt succeed in her future with law enforcement. Congratulations, Mercedes!



“For me, choosing a path in public service contributes to a stronger, more resilient community.”

- Mercedes Taungatu’a



Mercedez Wight

Mercedez Wight, a 2024 graduate from Morse High School, plans to attend Central Maine Community College for a degree in psychology with a goal of pursuing a career in law enforcement.

Aside from her outside activities, Mercedez has a specific plan and ultimately wants to work for the FBI focusing on human trafficking. To take steps towards that goal, Mercedez applied and was selected from a number of applicants across New England to attend the FBI Academy program in Massachusetts. While

there, she was exposed to the variety of teams within the FBI, their roles and responsibilities, and the desired quali-

ties of an agent. After learning that the FBI would require work experience before being hired, Mercedez altered her plan to include gaining work experience in corrections at the Maine State Prison after graduation.

Negative experiences in childhood have helped to shape Mercedez into the empathetic, resilient, articulate, defender of justice that she is. Despite these challenges, and with a smile on her face, she is quick to call out bad behavior but at the same time creates safety by the very manner in which she approaches things and encourages others to share their thoughts and ideas.

Mercedez is thankful for the public services that have helped her attain an education, security, and a healthy and clean environment and wants to pursue a career that gives back to the community. This dedication and drive are impressive.

MMA is happy to provide this award to support your future. Congratulations, Mercedez! 🏔️

“Resilient, articulate, and a defender of justice. These are the first of a great many adjectives I use to describe Mercedez Wight.”
- Colleen Cantin Madden, Morse High School English Teacher

there, she was exposed to the variety of teams within the FBI, their roles and responsibilities, and the desired quali-



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Public Safety During Extreme Storms

From helping individuals stranded in vehicles to dealing with gas leaks, fire departments have played an important role during extreme storm events.

By Janine Pineo

The Dec. 18, 2023, rain and windstorm that pummeled much of Maine hit the town of Bethel with a particular ferocity.

The town's terrain includes mountains and the Androscoggin River Valley and is crossed by three state highways, U.S. Routes 2, 5 and 26.

Bethel Fire Chief Michael Jodrey said all three were compromised at some point during the storm. "Road flooding is nothing new in the Bethel area," he said. "However, the amount of damage and rain in a very short amount of time was not expected."

Weather experts later explained the conditions of what happened that day. The state had significant rain prior to the storm, meaning the groundwater table was high. What snow was on the ground (which was mostly frozen) added to the runoff when it melted in the tropical-like downpours, with areas in western Maine receiving more than five inches of rain and close to seven in some places.

The temperature inversion that usually keeps high winds aloft in the winter eroded, lashing the state with gusts from 45 to more than 90 miles per hour that toppled trees and downed utility lines. A rapid pressure drop, called bombogenesis, happened as the storm approached and hit the state, and it ramped up the storm's intensity.

In Bethel, the first calls started around 7 a.m., Jodrey said, with trees and power lines down, followed by minor road washouts and flooding. But as the day progressed, the major roads were inundated with water.

Jodrey describes what happened next:

"As the afternoon unfolded, we knew that this was not the regular flooding that we are used to. Calls were coming in for

motorists stranded in their vehicles in the floodwaters, one after another.

"Other people would sit in their vehicles stopped at the barricades in front of the road closed signs and watch the fire department's boat rescue people from their disabled cars, then proceed to drive around the barricades and into the floodwaters only to become stranded themselves. This happened over and over.

"Next it was tractor-trailers, several of which did not make it either. We had two that had water up to their windshield before their engines quit.

"At this point, Bethel became an island with all major routes closed due to flooding. Many back roads were also impassable, and only locals who knew all the back road detours could get in and out of town, driving tens of miles to do so."

He added, "What made it even worse was that all of western Maine and northern New Hampshire had issues. In some cases, there was literally no place to go."

For Maine and its vast number of rural communities, the storms have highlighted how quickly a municipality



The Walton's Mill Dam in July 2022 before its removal later that year.

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



Temple Stream flows unimpeded in October 2023.



The swollen Temple Stream on Dec. 18, 2023, in Farmington.

can become cut off during severe weather, severing mutual aid and even communications to not only emergency responders but also to residents.

In many areas of the state, first responders are the local firefighters, with most municipalities staffed by volunteers, the dearth of which has plagued communities for years. Maine Town & City spoke with fire chiefs in Bethel, Farmington, Harpswell and Stonington about their experiences during the severe storms—particularly those in December and January—that hit the state so hard.

Farmington challenges

More than an hour down Route 2 from Bethel is Farmington, which had similar troubles in December.

Fire Chief Tim Hardy said the Intervale on Main Street floods a couple of times a year due to its proximity to the

Sandy River, but it had seen higher-than-usual waters in the May 2023 storm. When the Intervale flooded to the same point in December, he said, rain was still coming down, signaling it would only get worse.

“It happened so fast,” Hardy said. For about four hours, “it was really overwhelming to keep up. It was just such a fluid situation.”

He added, “It wasn’t July water.”

The department’s Facebook page later stated that crews responded to 118 calls in 60 hours, with multiple water rescues of people trapped in flooded vehicles and one rescue of a person trapped in a flooded building. There were also trees and lines down, flooded roads and road closures, flooded basements, carbon monoxide incidents and electrical hazards.

Every rescue took about 45 minutes with five or six people working together. The department’s inflatable rescue unit had been put together earlier just in case, Hardy said.

When one road started flooding, the department sent a truck to the high school in case that area was cut off. It also went door to door in Farmington Falls, he said, warning residents that they would likely be cut off. “We lost the ability to get to them,” he said.

“We had a number of buildings damaged from wind,” Hardy said. “We had crews trying to get roads open for ambulances.” During the worst of it, it wasn’t safe to clear the roads.

Wilton Road, which is Route 2, also flooded, he said, both in May and December. He wasn’t sure how much the removal of Walton’s Mill Dam in 2022 contributed to the deluge from Temple Stream, a 52-mile watershed that flows under Wilton Road before feeding into the Sandy River.

“Last year definitely changed our mindset,” said Hardy, who oversees nine full-time staff and 20 paid call members, a change made by the town in 2016.

For Hardy, communication is an area of concern to get information out to as many people as possible. Farming-

ABOUT THIS SERIES

Wind. Rain. Ice. Blizzard. Bomb cyclone. Nor’easter. Sou’easter. Flooding. Washouts. Blackouts.

The Christmas storm. The May Day storm. The Grinch storm. The January storms. The March 10 storm. The March 23 storm. The April 4 storm.

For many, the ice storm of 1998 is writ large upon the memory, the storm to end all storms with its days of accumulating ice and the resulting aftermath of hundreds of thousands without electricity for weeks. But more recent weather events have been hitting Maine repeatedly with a power and frequency that have left in their wake damage in amounts that can be difficult to grasp as a whole because of the enormity of the destruction in town after town, city after city.

Over the next few months, Maine Town & City will report on how a number of municipalities are dealing with the onslaught of extreme storms, from the initial damage to emergency measures, community aid and plans for what may be coming one day.

Our second story talks about the emergency response and impacts in Bethel, Farmington, Harpswell and Stonington.

ton has a population of about 7,800 and is home to eight nursing homes and about 55 people in elder housing, along with the University of Maine at Farmington, which had just finished the fall semester when the December storm hit.

One partner might be the school district, which has an already established process for school cancellations. The town may consider a text option, too.

For responders, there has been discussion of holding a Microsoft Teams meeting the day before an expected event.

Pinpointing problems

Harpswell Fire Administrator and Emergency Management Agent, Mike Drake, has a dual concern when it comes to communications. Not only does the town need to alert residents to dangerous situations, but it also needs a reliable system for emergency responders.

The two January storms and the April 4 storm hit the coastal town hard. In April, something unexpected happened. "We lost all emergency communications in town," Drake said.

It turned out that the comms generator quit, something that happened in January but not for as long a period. "Twenty bucks' worth of antifreeze shut our whole communications down," Drake said.

The town is pursuing a new communications system, he said, at a cost of \$300,000.

Getting information to residents is a bit easier. The town has its Facebook page, town website and the local cable TV station, which is popular, Drake said.

Harpswell has a unique situation with its fire crews.

The town is home to three peninsulas, and each has its own volunteer fire department. A fourth fire station is decommissioned, Drake said, although it holds equipment and can be used as a staging location.

Back in 2018, Drake said he could see the lack of volunteers coming and the town hired two full-time people and five per diem to staff the stations. A number of volunteers are retirees, although some are just summer residents.

The town is 40 percent second homes now, Drake said, with fewer than 5,000 year-round residents and 9,000 people in the summer. The Jan. 10 storm did the most damage to second homes and the commercial fishery, with the Jan. 13 storm exacerbating the damage done earlier in the week.

Stonington Fire Chief Steve Rittmeyer said communications for emergency responders is a known issue because of all the island's granite. "We have a lot of trouble here," he said.

The bigger hurdle over the past year may have been staffing for the volunteer department. When he took over as fire chief last year, there were four volunteers. There are now 13. "I think a lot of it is incumbent upon us to educate people," he said.

Stonington's location has its own challenges. The town is on an island connected by the Stonington causeway to another portion of the island that is connected to a causeway connected to a bridge to the mainland.

The Stonington causeway was underwater and damaged in both January storms and again in April. While the town had the usual flooding happen, Rittmeyer said, the unexpected flooding happened close to home.



Michael A. Hodgins
Land Use and Zoning Attorney

Mike represents towns in contract disputes and other general litigation, land use enforcement actions, Rule 80B appeals to Superior Court and he has participated in several appeals to the Law Court. Mike was recently recognized as a Lawyer of the Year by The Best Lawyers in America® for land use and zoning law. Mike has been recognized for his general litigation practice by New England Super Lawyers.

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The fire department is located on the town's storied waterfront and the basement flooded on Jan. 10, something that had never happened since the structure was built in 1970.

There were two to three feet of water in the basement, ruining everything in the basement, including the kitchen.

"We're used to storms and high winds. It's a pretty normal thing for us," Rittmeyer said. "I did not think it was going to be anywhere near that extent. It didn't even occur to me that that was going to be an issue."

The town is now looking to build a new station. "That was the nail in the coffin for me," Rittmeyer said. "We have to get this off the waterfront."

The basement now stores items that will be alright if they get wet, he said. Parts still need to be fixed but it's been a challenge getting contractors to do the work.

Meanwhile, sandbags were used to protect the basement, which worked with the next storms, Rittmeyer said.

"Luckily, we didn't have any people in peril," he said.

What floats

In Harpswell, the fire department got a call that there was a building in the middle of the Cribstone Bridge during the Jan. 10 storm, Drake said.

How do you move a building in a timely fashion in a raging storm?

Harpswell also had oil tanks leaking; heating oil floats, Drake said, and a lot of it went out with the tide.

More than one community was challenged by propane tanks ripped off homes, leaking gas and floating in tide-waters or down swollen rivers. Harpswell and Farmington both had problems.

As did Bethel.

Chief Jodrey recounted the most harrowing of the propane incidents: "We had two large commercial propane tanks that were venting wide open with a gas cloud that was migrating across the floodwaters to a nearby gas station. That was the most unnerving issue we dealt with over two days. Fortunately, we mitigated the issue without incident."

Bethel also had heating oil incidents, all in flooded basements, that were handled by the Maine Department of Environmental Protection.

Jodrey said that when it was over, his all-volunteer department handled more than 40 storm-related calls via 911 along with dozens of in-house calls. Over two days, they rescued more than 25 people from floodwaters with the department's boat.

Newry helped with mutual aid but eventually they were cut off from Bethel, Jodrey said. "They had one truck and driver that could not get back to their own station, so they helped us throughout the storm." 🏠



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How to Digitize Your Town – A Toolbox

This article is the fourth in a series by the Island Institute exploring the topic of digital equity in relation to Maine’s municipalities and digital capacity.

By Zuzana Duffy, American Connection Corps Service Member, Island Institute

This past year, following the successful completion of their comprehensive plan, community leaders from Long Island in Casco Bay embarked on a journey to modernize the town’s IT practices as part of its implementation phase. They quickly realized there wasn’t a road map, or one stop shop for the information they needed. Their quest became the basis for this article series that aims to provide some practical tools and information to ensure Maine’s municipalities—especially the small, rural communities—are not left behind in today’s digital divide.

Long Island, like an increasing number of Maine’s municipalities, has ubiquitous broadband internet that is affordable and reliable, and is now exploring how they can use digital tools to become more resilient. Many municipalities are over the infrastructure development hurdle and are asking “what now?” To that end, this article offers a universal toolbox to help update Maine’s local municipal services in three areas:

1. Digitizing municipal records;
2. Creating a digital communication strategy; and
3. Increasing digital literacy to enhance municipal services and cybersecurity.

Digitizing Municipal Records

Digitizing municipal records drives resiliency and efficiency by increasing transparency and accessibility to information. With more frequent and severe storms and flooding, the integrity of paper-based records is threatened. Moreover, if records are available online, seasonal residents can access them year-round and contribute with their expertise and skills. People can access this information from anywhere.

Two of the most important resources in this process are the Maine State Library and Maine State Archives. They rent out the equipment and provide a platform on which to safely store records. It is recommended that municipal-

ities reach out to either of these entities as soon as they are ready to start the process to get an evaluation of their resources, acquire best scanning practices, learn about the retention schedule, and obtain an overall assessment to save time and money.

State Archives. The Records Management Division at Maine State Archives is a small bureau within the Office of the Secretary State, which is responsible for preserving and making Maine government and all other state agencies’ records more accessible. By statute, the Maine State Archives is the state agency that oversees both state and local government records. They conduct assessments and give advice on digitization standards and best practices. They also advise on local retention schedules, providing guidance to municipalities with respect to which records should be kept versus which ones are transitory.

The division also oversees the main historical Records Advisory Board, which helps funnel federal funding to small collecting institutions. This funding can be used to purchase scanning equipment or archival boxes and supplies to properly care for documents. The State Archives should be the first resource that any town contacts when considering digitizing records.

Maine State Archives (Records Management Division) Contacts:

Heather Moran, Head of Archives Services, Maine State Archives: 207-287-5789/ heather.moran@maine.gov

Felicia Kennedy, Records Management Analyst: 207-287-5798/felicia.kennedy@maine.gov

State Library. The Maine State Library (MSL) can offer a sense of what the project might entail and give guidance on digitized record standards. They have a lending lab with equipment that can be sent out to communities, but they do not provide help with the digitization process. MSL has a place where towns can make digitized resources available online. Towns can upload this content to their own websites or integrate the information with resources found on the MSL’s website. While the state

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library shares equipment for digitizing records, it is the Maine State Archives that creates and manages the records retention schedules for local government and sets the imaging standards in their chapter rules. MSL also stores digital tax maps, but that process requires larger formatting equipment. Other towns utilize this as storage for comprehensive plans or meeting minutes.

Maine State Library Contact:

Adam Fisher, the Director of Collections Development and Digital Initiatives:
207-287-5620/adam.c.fisher@maine.gov

Please note that neither of these governmental institutions will do the actual digitization, they only assess and advise on best practices. They cannot recommend or suggest a third-party vendor to digitize municipal records.

“Remember digitization is not preservation. Digitized documents offer broader access, but the original documents must be retained by the town. Do not scan and toss them to make space.”

- Heather Moran, Maine State Archives

Digital Communications

When an accident, flood, or fire impacts your town, how is information getting out in a timely manner? What platform is best suited for this type of information distribution? The town’s website, Facebook, Twitter, email blast or a text alert? Is there a comprehensive list of all residents, businesses, and organizations that might need this information? What emergency alert system is in place?

Whatever the communication platform or outlet, the most important thing is for the information to be consistent across all the channels so that everyone has access to the same information. A team from Maine’s academic institutions who are studying municipal communications recommend developing a communication hierarchy of what tool to use in different situations. Consider multiple methods of communication to ensure you reach everyone and there is a dual verification of information, i.e. town

website and Facebook. In addition to having multiple digital communications avenues, open the lines of communication, digital or not, to ensure formats are compatible with people’s preferences and abilities. It is not simply the technology used, but rather the implementation of best practices and development of standard operating procedures.

Successful digital communications rely on up-to-date municipal websites. Migrating a town’s website to a “.gov” domain will add credibility. The fees for governments are waived. Voters increasingly see the importance of having a good website, which means they might be more willing to incorporate it in the town’s budget to ensure long-term maintenance and upgrades. Sullivan Town Manager Ray Weintraub’s recommendation for a free and easy way to share important information with constituents is to partner with other organizations such as community centers, thrift stores, transfer stations, and schools or other small municipalities on shared calendars for pushing information out. Ask if their information can be added to the municipal calendar: “one simple subscribe button could get all of that information out in one go.” Collaboration with other organizations increases social cohesion and civic engagement. Long Island’s IT Taskforce has chosen to put the community calendar *front and center* on the town’s landing page.



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Methods for Communication with the Community

As shown in the table below, there are a variety of ways to get the word out. However, each method comes with both advantages and drawbacks.

| Method | Advantages | Drawbacks | Example |
|---------------|--|---|---|
| Text Messages | Gets information quickly to people who don't check email regularly. | Costly. | Text Alerts <ul style="list-style-type: none"> • TextMyGov.com • Custom-built by web designers • Constant Contact • OnSolve.com |
| Email Blasts | Fast, cost efficient. | Not everyone may be checking their inbox regularly. | <ul style="list-style-type: none"> • ListServe • Constant Contact • MailChimp |
| Physical Mail | Reaches people without connectivity or digital literacy skills. | Slow and costly. | Newsletters |
| Website | Free for governments. | Requires maintenance. | <ul style="list-style-type: none"> • .gov domain • Wordpress |
| Social Media | Frequently checked and popular with younger demographics. Simplified administration. | May not be commonly used across older demographics. | <ul style="list-style-type: none"> • YouTube • Instagram • X (Twitter) • Facebook • Snapchat • TikTok |

Increasing Digital Literacy to Enhance Municipal Services and Cybersecurity

Municipal services depend on the skills of the administrators who are tasked with overseeing specific operations. Luckily, there are many resources available for town officials to use to increase their digital skills. Maine's Digital Equity Plan calls for making government resources more accessible online, including making portals easier to access on phones and tablets to building the digital skills of Mainers.

On the educational front, the Maine based nonprofit National Digital Equity Center (NDEC) offers free training across a variety of digital topics. Classes cover topics such as how to build a WordPress website, introduction to computers, and tools for navigating Microsoft Office products, including Word, Excel and Outlook, just to name a few. All classes are online with live instructors, which can also be offered through on-site partnerships with town offices, libraries, or other community anchor institutions to allow for a local in-person component. Improving digital literacy skills of town officials can also increase municipal inclusivity and equity. Learning how to effectively run hybrid meetings by ensuring that both in-person and virtual attendees can equally listen, hear and participate will increase trust and engagement.

Many municipal officials and employees are understandably concerned that the increased digital activity

at their town office will expose them to greater cyber-threats. However, that is another reason why NDEC's Internet Safety course or other cybersecurity training like KnowBe4 should be offered regularly to municipal staff and officials.

The individual user is the most vulnerable piece of the system in all cases. Computers get hacked most commonly through phishing emails which might seem innocent but contain malware that will infect the computer when clicking on a link. The most common breaches occur through stolen credentials, such as password cracking or other types of information theft. In order to promote the long-term sustainability and success of a municipal digital ecosystem (e.g., communications, information technology, cybersecurity, etc.), make sure multiple administrators have the knowledge to oversee the system. If your municipality does not have the capacity for multiple administrators, develop a documented standard of procedures for future office holders.

In sum, despite this process seeming daunting and overwhelming, there are communities that might be ahead of you in the process. One approach that we've seen working for communities is to reach out to another town for suggestions and advice. When Long Island referenced modernizing its IT systems in its comprehensive plan, it realized this work would be time-consuming, complicated and would require lots of outreach. Months

into the process though, they have connected with other communities, attended MMA's Technology conference, and partnered with organizations, which is moving them closer to implementation of this worthy goal. While partners across our state work toward making this information more accessible in one location, municipalities that are already working on this issue are the leaders we can look to as we work to close the digital divide in Maine.

“Even though it may sound like it’s an off the wall story to think that your small rural municipality could be the target for a hacker in Russia or China who is trying to break into your computer system, it’s been increasingly more common, and these cyber threats are increasingly more sophisticated and ever-changing. Despite feeling physically small, isolated and safe, from a cybersecurity perspective, you may not be.”

- Chris Johnson, Chief Information Officer for the
Maine Department of Secretary of State

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Resources:

Maine Islands Coalition May 2024 Meeting on Digitizing, Cybersecurity, and Digital Equity.

Many other relevant topics such as data storage, cybersecurity tips, threats to municipalities and best practices to keep data safe and secure were discussed during a recent meeting of the Maine Islands Coalition (Notes with a link to the recording can be found at www.islandinstitute.org/maine-islands-coalition)

KnowBe4 (<https://www.knowbe4.com/>). A

security awareness training to learn about the different types of security topics such as phishing, ransomware, AI, and multi-factor authentication. They offer some free resources, as well as affordable packages to meet varied needs.

Maine Emergency Management Agency (MEMA).

For all cybersecurity and communications systems related questions, refer to MEMA. The agency can set up Teams or Zoom calls to help you get started with incident response planning or create cyber hygiene training for your municipality. For more information including cybersecurity best practices, visit MEMA's website at: <https://www.maine.gov/mema/homeland-security/cybersecurity>.

National Digital Equity Center (<https://digitalequitycenter.org/classes/>).

Learn more about NDEC's Digital Navigator services and free classes. 🏠

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JULY 2024

Risk Management Services Attends 2024 Tech Conference



MMA Risk Management Services was excited to be a sponsoring partner of the 2024 Technology Conference held at the University of Maine at Augusta in late-May. In addition to being a sponsoring partner, MMA Risk Management Services also covered the registration fee for members of our Property and Casualty Pool who wanted to attend. It was our goal to make this important event as accessible as possible.

The Technology Conference proved to be an excellent opportunity for our members to network with vendors and attend training on critical issues such as developing the framework for cybersecurity and responding to cyberattacks. The keynote speaker, Elijah Cedeno from the Center for Internet Security, spoke about the no-cost resources available to municipalities from the Multi-State Information Sharing and Analysis Center (MS-ISAC). The MS-ISAC offers resources and tools to state, local, and tribal government organizations to help them better prepare for and respond to cybersecurity threats. Closing out the training program was a review of the Maine Cyber Range which provides municipalities with an immersive hands-on training experience on how to best

detect, respond to, and prevent cyber incidents at no cost. The Maine Cyber Range is available through the University of Maine at Augusta's Cybersecurity Program.

MMA Risk Management Services also had its own vendor booth at the event, where we provided participants with our updated Best Practices for Cybersecurity and Data Protection publication, which focuses on the importance of a well-written Acceptable Use Agreement, proper password management, multifactor authentication, and other cybersecurity safeguards.

We also took the opportunity to promote the Risk Reduction Grant—a grant which provides up to \$3,000 to assist our Property and Casualty Pool members in their efforts to control or mitigate potentially hazardous exposures that could damage property or pose a liability risk. This grant does not have a match requirement to receive the full amount and the next cycle closes on September 15, 2024. In the past, grant funds have been used to help purchase data back-up equipment, lockable server racks, uninterruptible power supplies, and security camera systems.

More information on the Risk Reduction Grant and our Cybersecurity Best Practices can be found on our website: <https://www.memun.org/Risk-Management>.

***MMA Risk Management
Services is excited to welcome the
newest members of the
Property & Casualty Pool:***

**Town of Mexico
Town of Ogunquit
Town of Wilton**

***We thank our dedicated members for
their continued partnership.***

Trench Trouble

There are various projects that necessitate trench or road openings, such as water main repairs, culvert replacements, and sewer manhole adjustments. While this maintenance is essential, trenches can pose significant issues when not adequately managed.

Consider a trench on a 35-mile-per-hour road left overnight. A maintenance team works late into a Friday afternoon, hastily backfilling the excavation across the road for a culvert replacement. Short on time and materials, they use what is on-site, leaving the trench poorly compacted. They place a few cones on the shoulder to alert motorists of the hazard. With weekend traffic now flowing, the fill settles quickly, creating a 2-inch rut between the pavement and the fill height in the trench. Subsequent rain erodes some of the unsuitable fill, exacerbating the situation. Saturday morning, a resident heads to the store, unaware of the roadwork. Seeing the cones, they proceed, assuming they indicate something on the roadside. They hit the trench, damaging their vehicle, and sustaining personal injury.

Vehicle damage claims and personal injuries resulting from such trenches occur for various reasons, with legal responsibility falling on members for improper trench maintenance or inadequate notice to motorists. In today's distracted driving environment, it is crucial for the performing entity to ensure proper marking and maintenance of work zones and road openings.

Under Maine law, specifically 23 MRSA, Chapter 313, regarding local highway law, the statute stipulates:

"Highways, town ways, and streets legally established shall be opened and kept in repair so as to be safe and convenient for travelers with motor vehicles."

The primary step to avoid "trench trouble" is meticulous planning. Even in emergencies, teams must assess hazards for both employees and the public and take steps to minimize risks. When planning for a road opening, consider:

- **Current Conditions.** How will the weather, traffic volumes, time of day, and other elements of the work environment affect the task that needs to be done?
- **The Work.** What is the goal of the project? What tools, materials, and equipment will be needed to complete the task. Are the necessary materials readily available to avoid project delays?
- **Safety.** What steps need to be taken to protect the maintenance team and the public? Do not forget work zone safety standards, excavation safety rules, and be sure to account for pedestrians and bicyclists in your plan.
- **Schedule & Timing.** How long with this project take? What precautions are needed to account for projects that require multiple days? Or question whether a two-day project should commence on Friday.



Many projects simply cannot be completed in a single day. Here are some things to remember when you are planning to leave a road opening or trench overnight or longer:

- **Plan Appropriately.** Do not bite off more than you can chew. Create a plan for the workday that is reasonable to complete and allows time to backfill or cover the trench so that it can be safely traveled in between workdays.
- **Prepare the Trench.** When leaving a trench overnight, it should be level. It is never a good idea to leave an area open. Trenches should be covered with engineered plates or appropriate backfill materials should be placed flush with the edge of pavement.
- **Maintain the Trench.** Make plans to regularly inspect the trench and make repairs when necessary to ensure it is safe.
- **Use Warning Signage.** Signs and other traffic control devices are extremely important for motorists as they approach the trench. They help warn that there is something up ahead and they need to slow down. Once they approach the trench, be sure the trench itself is adequately marked. Barrels left in the center of the roadway can slow drivers down more than just a couple of traffic cones left on each side of the project area, and "BUMP" signs can help slow people down at the trench itself.
- **Consider the Traveler.** When considering warning signage for a trench, you must put yourself in the shoes of the driver who has no idea you have been doing work. What would be adequate notice for them? Remember, it is also about the safety of the driver. Even with signage, it can be extremely difficult for drivers to appreciate the condition of the trench in the dark, especially on more rural roads.

If you take these precautions to provide motorists proper notice, and they ignore it and sustain damage, photos documenting how the work area is left, including warning signs further down the road, will assist the Pool in assessing those claims when they happen.

If damage does happen, report it! Many times, members DO NOT report a claim because they do not feel they are responsible. Months go by and the claim is reported when they hear from an insurance company or an attorney. When we request documentation about the incident, we often find that the member does not have the documentation we need to deny the claim. By reporting these claims promptly, we can assist you with identifying needed documentation while the information can still be obtained, such as photos and statements. The Pool is not only here to pay claims; we are also here to help.

For more information about work zone safety and trenching and best practices for excavation feel free to reach out to your MMA Risk Management consultant or try these helpful websites:

Manual on Uniform Traffic Control Devices (MUTCD)
<https://mutcd.fhwa.dot.gov/index.htm>

Maine Department of Labor SafetyWorks!
<https://www.safetyworksmaine.gov/index.shtml>

Maine DOT Maine Local Roads Center
<https://www.maine.gov/mdot/mlrc/>

Maine Municipal Association – Risk Management Services
<https://www.memun.org/Risk-Management>



Parade Safety – Ready, Set, March

Throughout Maine, parades are commonly held as part of celebrations commemorating special occasions and traditions. In the planning of these events, entities appropriate funding and dedicate a great amount of time and resources to ensure that the event is enjoyed by the attending public, but in some cases, consideration is not given to safety and the use of risk management principles. The incorporation of risk management practices will not dampen the mood or reduce the level of enjoyment of your parade, but rather elevate the fun for all by diminishing anxieties and potential hazards.

This article provides some safety, legal, and insurance tips that your municipality may wish to consider before your parade begins to march.

The first question of primary importance is: Whose parade is it? Is your municipality truly sponsoring the event or is another entity responsible for the administration of the parade? In order for a municipality to officially sponsor a parade, the municipality must have the “ultimate authority” and “oversight” over the activity. Furthermore, all funds must be accounted for in the municipality’s annual audit and overseen by the municipal treasurer. If these conditions are not met, then this parade may belong to another entity and thereby they assume the associated liabilities.

The second consideration is: Who is insuring the parade? For municipally sponsored events, members of the MMA Risk Management Services Property & Casualty Pool may already have the liability coverage that they need for the special event. But, regardless of who provides liability coverage for your municipality, it is critical that you contact your insurer prior to the event taking place and verify conditions of coverage and potential exclusions. Furthermore, require that all owners of vehicles, including but not limited to motorcycles, tractors, mobile floats and automobiles provide proof of automobile

Time out for Training at the 31st Annual Highway Congress

MMA Risk Management Services’ Loss Control Department continued their support for the Annual Highway Congress held on June 6 at the Skowhegan Fairgrounds. The “Time Out for Training” booth is a fixture of the Highway Congress and provides an opportunity to discuss various safety related issues with many of our members and interact with vendors in a more casual setting. This year’s safety focus was on storm preparedness, which centered on the short-term and long-term strategies that can be implemented to prepare for significant weather events.

The Storm Preparedness Check List addresses such topics as:

- Facility & infrastructure assessments to assist with resiliency investments;
- Communication plans to establish protocols for departmental responses and information sharing;
- Training for pre and post storm preparedness and response; and
- Seasonal preparedness for flood planning, drainage, vegetation management, traffic management and emergency action planning.

We would like to thank all the attendees that visited our booth, and for their dedication to risk management.

liability insurance and a current driver's license before being allowed to participate in the festivities. A *Certificate of Insurance* is a document which is typically used to provide evidence of insurance. It is recommended that you verify proof of *General Liability* coverage as well as which vendors/participants name your municipality as an *Additional Insured*.

Plan and check the parade route. The careful planning of the parade route can keep the event smoothly moving forward while reducing the likelihood of an accident occurring. You should ensure that the selected route is clear of obstructions and allows for adequate traffic control. Plan a staging area for people and floats to organize before the start of the parade, as well as an area for the parade to conclude and safely disperse without congestion and confusion. Determine which streets will need to be closed, where to place barricades, and the number of safety personnel that will be needed and where they should be located. It is also important to walk the parade route to observe the condition of the surface by taking note of potholes, cracks and other obstacles that may cause an injury or present a danger to parade participants and spectators. Once a hazard is identified, repair or clearly mark the item and document the preventative actions taken. The documentation of all steps to address safety concerns may provide a level of protection for your municipality in the event of an accident.

Implement parade safety guidelines.

1. Give consideration to the positioning of parade participants spacing and float procedures. Separate animals (if allowed) from units within the parade that create loud and sudden noises such as marching bands.
2. Prohibit the consumption and use of alcoholic beverages and other controlled substances by parade participants, as well as spectators.
3. Make certain that children always have qualified supervision.
4. Limit the size of floats and ensure that participants have clear visibility.
5. Ensure that persons riding on floats have proper footing/seating and do not hang appendages over the sides of the float.
6. Prohibit items or candy from being thrown from a float. Instead, require that items be distributed by accompanying walkers.
7. Prohibit the installation of fireworks or pyrotechnics on any vehicle or float.
8. Provide walking traffic guards along the route to ensure safety.
9. Perform weather checks and if you hear thunder, have all parties seek shelter immediately.
10. Conduct emergency planning for non-celebratory events. It is critical. Even though we all wish to participate in the festivities, we must carefully plan so that emergency responders are available to respond to other emergencies at other locations. Therefore, it is critical to ensure that critical apparatus, equipment, and staffing resources are readily available to respond in times of need.

These guidelines and recommendations only address some of the basic safety considerations that should be addressed when planning a parade and are provided as a tool to reduce the likelihood of a loss. With a little planning and the implementation of risk management best practices you can help protect your community and ensure a joyful celebration for all.

FREQUENTLY ASKED QUESTIONS

WHAT IS A RETURN-TO-WORK PROGRAM?

A return-to-work program is intended to help injured employees return to work sooner and reduce workers' compensation lost-time accident costs.

THE BEST RETURN-TO-WORK PROGRAMS SHARE TWO CHARACTERISTICS:

- An emphasis on the importance of communications.
- The opportunity to work with staff to identify alternative productive work that can be performed by a recovering employee.

If an employee is physically unable to perform former duties, a commonsense solution is to return the employee to alternative work that is physically less demanding but essential to your entity.

BENEFITS OF A RETURN-TO-WORK PROGRAM

Employee morale and cost savings are a great motivator for a Return-to-Work program, which is achieved by:

- Reassuring injured employees that they are valued by the organization.
- Reducing employee turnover by avoiding the need to hire and train replacement workers.
- Increasing productivity as employees are back on the job.
- Shortening the amount of time injured employees are away from work can reduce costs, and improve your experience modifier, which, in turn, can lower your entity's contributions.

By managing exposures, implementing safety and training programs, consistently using an occupational medical provider, and committing to a Return-to-Work program, municipalities can help to mitigate workers' compensation costs.



The Municipal Risk Manager

The Municipal Risk Manager is published seasonally to inform members of developments in municipal risk management which may be of interest to you in your daily business activities. The information in these articles is general in nature and should not be considered advice for any specific risk management or legal question. You should consult with legal counsel or other qualified professional of your own choice for specific questions.

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Human Resources & Personnel Services

Helping municipal officials navigate the complexities of disciplinary proceedings.

By Rich Cromwell/ Director, Personnel Services & Labor Relations

MMA Personnel Services provides information to the membership on a variety of topics and is currently evaluating how to provide more effective resources and tools to assist with your personnel needs. Currently, some of the information and guidance provided to members includes such items as: job descriptions; performance evaluations; recruitment; discipline and discharge; personnel rules and regulations; affirmative action and harassment issues; and contract administration. Additionally, MMA provides fee-based services such as executive searches, background checks, and collective bargaining assistance.

These services are designed to help members navigate the complexities of personnel matters. As we are all aware, whether you are a new or experienced leader, effectively managing both people and process is difficult and ever changing. The ability to energize, coach, challenge, and lead employees can be fun, especially when you are able to build an effective team that is engaged and achieving goals.

Unfortunately, it's not always fun. Not everyone is able to or chooses not to behave or perform as expected, and then there becomes a need to correct the issue(s). Ideally, being able to take low level corrective measures such as coaching conversations, verbal warnings, or written warnings to help the individual, is preferred. If after trying these methods, the behavior or performance doesn't change or if the individual has done something so egregious that a more progressive form of discipline is warranted, you will want to remember a few things. Employees in the public sector have a property interest in their employment, and because

of this they must be provided with due process when serious disciplinary action is being considered.

If you are considering taking disciplinary action, for a non-probationary employee where the outcome may result in such things as suspension, demotion, or termination, you must provide the employee with due process, in the form of what is called a **Loudermill Hearing** (disciplinary hearing). This is a formal hearing where the employer provides the employee with notification, typically via letter, stating the time and date of the hearing, the specific charges, and any evidence or information regarding the policy violation in question. This is done to provide the employee with knowledge of the issue to allow them to prepare a response and present their defense during the hearing.

Once you have completed the hearing and before you decide to move forward with considering disciplinary action there are a few things to review. For starters, is the individual in question a union or non-union employee and what are the rules surrounding disciplinary action in either the collective bargaining agreement or the personnel rules and regulations. Also, was the person aware of the policy or expectations that are in question and is there solid documentation to support a violation (e.g., a signed policy acknowledgement). Factors such as the employee's work history, disciplinary history (if there is one), and performance evaluations should also be reviewed. Ensure that you are enforcing the policy and expectations consistently amongst all employees. Once you have explored all these areas you are better positioned to make an appropriate disciplinary decision.

Most times before arriving at the point of a disciplinary hearing you may have to investigate a matter. It is important to remember that when conducting an investigation with a union employee and disciplinary action may be taken, the employee has the right to have a union representative with them. This authority is referred to as **Weingarten Rights**. If at any time,

EO101

"An Elected Official's Survival Guide." In this series MMA staff will provide the advice, tips and tools elected officials need to fulfill their roles and to be prepared for the challenges that await.

a union employee requests that a union representative is present during an investigation, you are required to stop the investigation and allow them to contact their representative or possibly reschedule the meeting until they can attend. The representative can ask questions and advise the employee in question but is not to answer questions on their behalf.

In the event that an employee is being investigated for potentially criminal reasons and is compelled to cooperate with the investigation or be terminated should they not respond to the questions, they are protected by their **Garrity Rights**. Once the employee is protected under Garrity, their statements cannot be used against them in a criminal proceeding. If you find yourself in this scenario, providing the employee with a **Garrity Warning** for them to read and sign is a good practice. A Garrity Warning should state such things as the purpose for the investigation, that the information is not for use in criminal proceedings, that the employee is required to respond, and failure to do so will result in termination.

These are a few main points to remember when initiating investigations that could result in serious disciplinary action or termination. It's always a good idea to contact your legal advisor when deciding to terminate an employee and are unsure that you have properly provided the individual with due process, or have just cause to terminate the employee. Additionally, MMA's Personnel Services can provide general information that can help you during this process and the legal manuals on the MMA site provide a host of helpful information as well. 🏔️



About the author:

I began my career in human resource management in 2002, working in the private sector for 14 years before transitioning to public sector human resources

with the City of Bangor in 2016 and later with the Maine Municipal Association in May of this year.

I remember my HR private sector peers telling me, during a going away party, that I would be back because I would be bored. Needless to say, that day has yet to come, and I don't think it ever will. Before leaving the private sector, I thought for sure, or maybe just hoped, that I had seen or heard of just about any type of employment related issue possible. I think it was day two in Bangor that an issue presented itself and I realized that I would never see or hear of everything again. Maybe that is why HR people keep coming back, to see what is going to happen next? During my time in human resources, I've been part of most things HR related such as policy development, compensation and classification structure, performance management, workplace investigations, collective bargaining process, benefits administration, people development, etc. My goal is to take those experiences and enhance the human resources related tools, resources, and communications available to the membership, as well as get a better sense from the members of what may be most useful for them.

When I'm not focused on work, I like to spend time with my wife and two children (they are at the age where they still want to spend time with me) living a pretty simple life doing the typical outdoor stuff; hiking, mountain biking, fishing, and a bit of hobby farming. I'm very excited to be a part of MMA and hope to be a reliable resource to the members.

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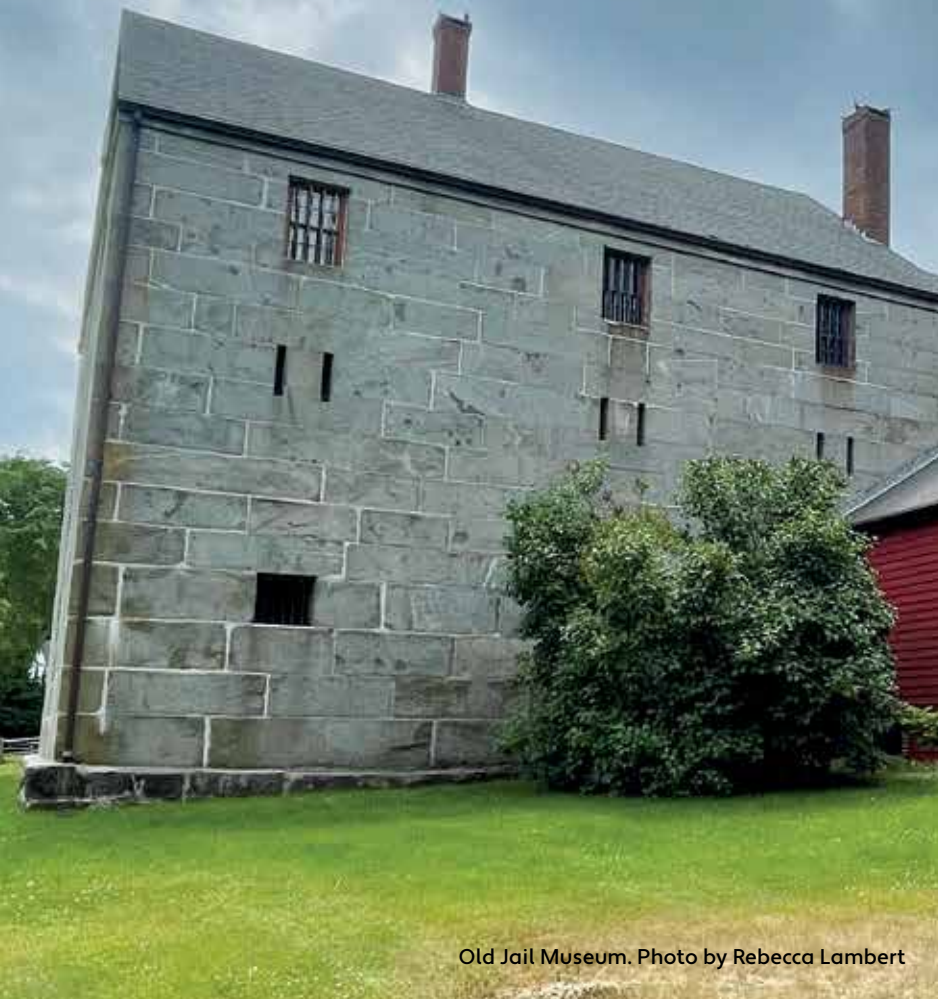
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WHERE *in* MAINE?

By Rebecca Lambert / Municipal Issues Specialist



Old Jail Museum. Photo by Rebecca Lambert

The “Where in Maine?” series will showcase the more whimsical sides of our communities. Municipalities in Maine will be explored with a focus on their vibrant downtowns, historic landmarks as well as the things that make each Maine town or city unique.

Photos in this series by Rebecca Lambert, MMA

Wiscasset.

The worm capital of the world.

In the midcoast region, nestled on the banks of the Sheepscot River, Wiscasset is a quintessential New England village, steeped in history and brimming with character. Weaved throughout the picturesque views is a rich colonial heritage and a vibrant, community-centric culture, making it a fascinating destination for historians, tourists, and residents alike.

The story of how Wiscasset came to be what it is today begins long before European settlers arrived. Initially, the Wabenaki people inhabited the region in the mid-1660s. Residents overcame numerous conflicts and disruptions during the colonial period, particularly during King Philip’s War and subsequent Native American and French hostilities, which eventually led to the incorporation of Wiscasset in 1760.

Much like the rest of Maine in the early years, the economy was primarily based on shipbuilding, fishing, and lumbering. Its deep, ice-free harbor made Wiscasset an ideal location for maritime activities, propelling it to become one of New England’s most significant ports by the late 18th century. As such, by the 19th century the port was a bustling hub for trade and shipbuilding.

During this period, many grand Federal-style homes were built, some of which remain today as architectural landmarks. Notable among these is the Nickels-Sortwell House, built in 1807 by shipping magnate Captain William Nickels, as a symbol of his wealth and status. This mansion, now a museum, exemplifies the opulence of the era and offers a window into the lifestyle of Wiscasset’s elite during its maritime peak.

Interestingly, the same year Nickels built the home, President Thomas Jefferson’s Embargo of 1807 took effect and prohibited international trade which devastated the economy on the East Coast. When Nickels died in 1815, he unfortunately had nothing but debt. The lavish



home was then turned into a hotel for 44 years before being sold to industrialist Alvin Sortwell as a family summer home, who restored it over time.

Today, the home is used as a vacation rental, and when not in use, is available for tours. It is furnished in traditional period décor with modern conveniences to give you a peek into what it was like to live in a turn of the century coastal home.

Shipping was not the only industry attracted to the region; a thriving ice trade also blossomed. The town's strategic location allowed for the harvesting of ice from local rivers and ponds, which was then shipped to warmer climates. This industry held up Wiscasset's economy until the advent of modern refrigeration.

The rise of larger ports and the decline of wooden shipbuilding led to economic downturns, but the town's scenic beauty and historical significance continued to attract artists, writers, and preservationists. Efforts have been made to preserve Wiscasset's historical architecture and promote its cultural heritage and sites like the Castle Tucker, the Lincoln County Courthouse, and the Old Jail Museum, reflect this period of reinvention.

Castle Tucker, built in 1807 and purchased by the Tucker family in 1858, is eclectic and picturesque, reflecting the Tuckers' wealth and their penchant to display contemporary tastes and social status. Today, it stands as a meticulously preserved historic house museum

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offering guided tours that recount the life and times of its former inhabitants. Much of the furnishings are original, providing an authentic representation of the Tucker family.

The Lincoln County Courthouse preservation renovations included ensuring its structural stability and functionality, while keeping an eye on preserving the historic and architectural elements that define the building. Today, the courthouse continues to serve as the administrative and judicial center of Lincoln County. It houses the Superior and District Courts, the Probate Court, and various county offices, seamlessly blending its historic legacy with modern judicial functions. The courthouse's archives, containing records dating back to the 18th century, are an invaluable resource for his-

torians and genealogists, and provide insights into the region's legal and social history.

nity that seamlessly blends its historic legacy with contemporary attractions. In towns with such a rich history, you are bound to find antique shops, and in Wiscasset there are plenty to browse. All along the charming Main Street you will find antique shops, art galleries, and eateries that attract visitors year-round, but are especially buzzing in the summertime. Red's Eats, an iconic lobster shack, has gained national fame for its lobster rolls, drawing food enthusiasts from far and wide and generating long lines.

Across the street on the dock, Sprague's Lobster is another seafood shack offering fresh seafood with equally delicious lobster rolls. Of course, it's not hard to find good seafood anywhere on the coast in Maine, or inland for that matter.



Built in 1811, the Old Jail Museum is housed in a stone building with the window bars still visible. It provides a stark glimpse into early penal practices and local history, with exhibits detailing the lives of inmates and jailers. Managed by the Lincoln County Historical Association, visitors to the jail can explore its original cells and the jailers' quarters. Its closure in 1953 marked the end of an era and the transition to more modern approaches to incarceration and criminal justice.

By today's standards, Wiscasset is a vibrant commu-

Another culinary treasure is the Water Street Kitchen & Bar, which is nestled along the banks of the Sheepscot River. This hot spot was a well-known restaurant, Le Garage, for 40 years before transforming into the gem it is today. Most notably on the menu is the chef's featured and favorite dish—paella—made from scratch upon order, the reason the dish requires a 40-minute lead time.

Since 1981, the Sea Basket restaurant has been serving up fresh Maine seafood on the busy Route 1 strip. They are known for their generous portions and homemade sides and never use frozen lobster meat, even in

their stews. Once you've had your fill of the Sea Basket, you can head across the street to Sweetz & More, New England's largest candy store, for dessert. There you can enjoy ice cream or freshly made fudge while perusing their 8,100 square foot retail space that carries more than 7,500 products. You are sure to leave there in a proper sugar rush.

Recreational opportunities are endless in this region and include an abundance of maritime activities—like sea kayaking, whale watches, and fishing, just to name a few. There is also a three-level ropes course, zip line, and adventure park, Monkey C Monkey Do, located on Route 1. Those with a need for speed can head over to the Wiscasset Speedway to take in the local races on a Saturday night in the summer.

If camping or hiking is your thing, five miles of hiking trails, with more being constructed, and camping are located on the Chewonki Foundation property. The Cushman Preserve is a 147-acre property with trails throughout and the West Woods and Morris Farm trails link more than 200 acres of woods and fields on three properties: the Sortwell Memorial Forest, the Wiscasset Town Forest, and the Morris Farm.

The Morris Farm is more than just a farm with hiking trails, it is also a working farm and an educational resource for communities in the midcoast region. Having been designated as a "forever farm" by the Maine

Farmland Trust, the Morris Farm's mission is to "promote the values of sustainable agriculture and stewardship of the earth through education, demonstration and community involvement, while enhancing food security in the greater midcoast area."

While they conduct classes and programming of their own creation, other community groups are welcome to use their facility for meetings or educational programs. The Dam Jam Fiddlers and the Sheepscot Spinners have both used the learning center to meet, which is a wonderful way to connect with others. The Morris Farm learning center, barn and portions of the land are available to rent for a variety of events, including weddings.

As a testament to their mission to enhance food security, the farm recently opened a "take what you need" farm stand, in addition to their regular farm stand, that offers fresh, local produce for free. This generous farm stand is an asset to the community. It is open seven days a week and restocked five days a week.

Wiscasset's community spirit is evident in the variety of events held throughout the year. The annual Wiscasset Art Walk, from June to September, transforms the downtown area into a lively celebration of local artists and craftsmen. There are also seasonal events, such as the Christmas by the Sea festival, which brings festive cheer with parades, markets, and community gatherings or the Farmers' Market that operates in the town

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office parking lot every Friday from 9:00 a.m. to 1:00 p.m. during the summer months.

Approximately 20 years ago, National Geographic dubbed Wiscasset the “worm capital of the world,” due to an ample supply of bloodworms and sandworms in the region—a prized bait for anglers—the harvesting of which has been a local tradition for generations. To celebrate this claim to fame and to give a nod to history, in June the town hosts the Wiscasset Wormfest. This quirky day of celebration is one focusing on honoring the importance of Maine’s working waterfronts and is filled with food, fun, music and...well, worms!

As a sidenote, if you like cheeky t-shirts, go to the festival website and check out their official Wormfest t-shirt. You can thank me later (by the way, I wear a women’s medium).

Camping, inns, and bed and breakfasts as well as short-term rental options are available within Wiscasset. Though lodging is limited, there are several other lodging options close to Wiscasset.

Looking at Wiscasset’s artistic side, apart from the many art galleries to peruse, you will find it is also part of the Maine Art Museum Trail, a network of museums and galleries that celebrate Maine’s rich artistic heritage. The town’s commitment to arts and culture

is further highlighted by its support for music and theater, which draws both performers and audiences from across the region. At any time, you can see artisans set up with easels, painting or drawing, providing spectators with a glimpse into the beginning to end process of creating a work of art.

Held at the town common, the Wiscasset Parks & Recreation department and Wiscasset Area Chamber of Commerce present the “Alive on the Common” concert series on Thursday nights during July and August featuring a variety of music genres.

Overall, Wiscasset is a blend of historical significance and modern charm, offering a unique glimpse into the past while providing attractions and events that engage both young and old. Whether you’re wandering through its historic streets, noshing on local culinary delights, shopping along Main Street, or exploring its natural beauty, Wiscasset promises an enriching, educational, and memorable experience. As it continues to honor its heritage while embracing the future, Wiscasset stands as a testament to the enduring appeal of New England’s small towns. 🏡

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2024 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. Applications can be founded on our website at www.mmbb.com.

| August | | | | | | |
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| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

| September | | | | | | |
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| October | | | | | | |
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| November | | | | | | |
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| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

Thursday, August 1st – Application Deadline

Wednesday, August 28th – Application Approval (Board Meeting)

Wednesday, September 11th – Preliminary opinions and loan agreements due from bond counsel of each borrower

Thursday, September 18th – Last date for signing school contracts and rates in place for water district. PUC approvals due

Week of September 30th – Maine Municipal Bond Bank Pricing

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

Wednesday, November 6th – Pre-closing

Thursday, November 7th – Closing – Bond proceeds available (1:00pm)

If you would like to participate in or have any questions regarding the 2024 Fall Bond Issue, please contact Toni Reed at (207)622-9386 ext. 213 or treed@mmbb.com.



Darrell White...2022 Maine Fire Chief of the Year

By Liz Chapman



Firefighting has been a family affair for Presque Isle Fire Chief Darrell White.

Like many Maine families, fighting fires was a family tradition handed down through the generations. As a boy, White spent untold hours at the firehouse with his father, the fire chief, and brothers. His mother was part of the team, answering the “red phone” and blowing the downtown horn to

alert the fire crew. She called firefighters on the telephone who lived too far away to hear the siren.

The older White got, the more work he did. Handling radios, reassembling the equipment on the trucks and other jobs that kept him interested.

White joined his hometown department in nearby Easton at the age of 17 as a volunteer firefighter. He said his career decision was the best choice he’s ever made.

“Every morning I have to get up to go to work ... I love it,” White said. “I love the camaraderie. Being a firefighter truly is like having a second family.”

White said he aspired to become a fire chief even from his earliest years. He joined the Presque Isle department in 1988 and was named deputy chief a decade later. In 2006, he followed his father and brother when he accepted the top job.

“I think about retiring, but every year I come up with a new goal,” he said. “Eventually, I’ll run out of goals, I’m sure.”

White, who was named 2022 fire chief of the year, has made progress interesting younger people in a career

as a firefighter—one of the biggest ongoing challenges for many fire departments in Maine.

The outreach effort has included social media and job fairs, White said, boosting the number of people joining the volunteer crew.

Other than recruitment, the sheer cost of running a fire department remains a major challenge, when

firetrucks can cost as much as \$1 million and outfitting firefighters continues to plump budgets.

The federal Occupational Safety and Health Administration (OSHA) is currently proposing changes to firefighting regulations and fire officials across the nation worry the new rules will drive up the already high cost of running a fire brigade.

Below, White talks about the challenges of the modern fire department, complete with emergency medical services (EMS) coverage, the “honor” of being nominated by his peers as the best chief in the state, and his early philosophy on how to run the department.

Q **Maine fire departments have struggled for years to recruit people to replace retiring baby boomers. Has there been any progress on this front? Have you done anything different to attract candidates?**

A. Here in Presque Isle, as a combination fire department, we do struggle to hire career firefighters as well as attract volunteers. Over the last few years, we have made a concentrated effort in being active on social media attempting to attract interest from our younger citizens who are still trying to find their career paths. We also attend job fairs around our community. In the last year, we have seen an increase in younger adults and high school students joining the volunteer department. We will continue our message of being a firefighter here in Presque Isle as a great career where you make a decent living and allow folks to stay in their hometown.

About the Author: Liz Mockler is a freelance writer from Newport and regular contributor to Maine Town & City, lizmockler1@hotmail.com.

Q What drew you to a career in firefighting?

A. I was brought up in a fire department setting; my father was a fire chief in my hometown of Easton. As a youngster I can remember my brothers and me spending time at the firehouse. As we all became of age to join the department, we did so. I remember my mom would answer the “red phone” because there was no E-911 at the time. After answering the call, Mom would blow the downtown horn and begin calling the firefighters who lived too far away to hear the fire horn. It has been a very rewarding career helping those in need. Being a firefighter truly is like having a second family and anyone wondering what they can do to help out in their community should contact their local fire department. For me, careerwise, it was the best decision I ever made.

Q What is your management philosophy?

A. At the beginning of my career as a new fire chief, I would say I was autocratic, meaning I saw changes that I wanted to make within the department, such as writing policy, and enacting those changes with little or no input from staff. However, once I thought we had our direction in place, our operations defined, and our goals clearly substantiated, I became more of a democratic leader. I may still write policy first, but I now seek direction and advice on what is best for staff, the department, and the citizens, before enacting any change in operations. For me, keeping in mind our customers and the citizens we proudly serve is a priority. I encourage members to bring forward any ideas they may have to better the service we deliver.

Q What was your reaction to being named Maine fire chief of the year?

A. I was totally shocked when my name was read! It was, and still is, such a great honor to be named fire chief of the year. To be nominated by members of the department and city administrators was, in and of itself, an honor—but to be selected by the Maine Fire Chiefs (Association) selection committee was just over the top. I will tell you it was the first time I was speechless (but only briefly). I know there are many great and wonderful chiefs doing great work across Maine who are deserving of the award and who I respect and look up to, which made this honor so special to have someone put me on the same level as them.

Q Other than concern over finding new staff, what is the most pressing need for your department?

A. As any chief will tell you, besides the staffing issues, whether full-time, call or volunteer, the biggest challenge is the cost of doing business. The gear firefighters wear today can range from \$3,000 to \$5,000 (per firefighter). Fire trucks (cost) anywhere from \$300,000 to more than a million. I am estimating the cost and I'm sure some items can be found at a cheaper cost, but you do get what you pay for. At any price, the cost to operate, equip and train firefighters today is expensive and has become a real financial struggle for most communities. Today's struggles to maintain equipment and then replace equipment in a timely manner because of the higher cost is a challenge for chiefs. For example, not replacing a fire apparatus in a timely manner can lead not only to more costly repairs, but more downtime of that apparatus, or worse it becomes so unsafe it has to be pulled from service with no new or even used unit to put in its place.

Q The Occupational Safety and Health Administration (OSHA) is proposing significant changes to firefighting regulations. How would they affect departments across Maine?

A. As most are aware by now, OSHA has come up with some major changes to the standards for emergency services. I don't believe any chief officer or firefighter is against making needed changes to protect and safeguard our personnel. However, there is great concern that they are attempting a one-size-fits-all solution and that just does not work here in Maine. The financial impact for some of the new regulations should concern all communities, but more so in our small rural communities where volunteers are relied upon with little to no compensation for the great work they do each and every day. Besides the financial cost of these changes, there is the training certification requirements being mandated for chief officers. These are intense and time-consuming credentials for career firefighters and most believe it is a mountain too high to climb for small rural departments that, as stated before, have full-time jobs and are volunteering their time to be firefighters—asking them to put days, weeks or months of training in to meet requirements beyond what we already have in place, driving the fear in the fire service that they will just decide to resign from departments. At this point, the commenting phase is still

on going, and it is our hope that OSHA will listen and make changes based on real need, cost, and impact on the time and effort firefighters would need to be compliant with the new standards when adopted.

Q What is the hardest aspect of firefighting?

A. Firefighting is a physically demanding job, to say the least, from working fire calls, wearing heavy firefighter's turnout gear, wearing self-contained breathing apparatus, holding and pulling heavy fire hoses, climbing ladders, venting roofs and many other physically demanding functions, all while often working in high heat, low visibility or, in our area, extreme cold weather atmospheres. When the alarm sounds, I'm certain heart rates go up and the adrenaline begins to flow. But just as demanding to firefighters is the mental toll that comes from being a firefighter. We have all seen things that we wished we never had to see or hope to never see again. With that, it is vital to have a strong support staff available to assist firefighters to deal or cope with tragic incidents that they maybe are having a hard time to compartmentalize. In short, it is physically and emotionally demanding. For me, I try to always remember how helpful we are to those who needed our help.

Q Communities continue to consolidate and regionalize public safety services. Why do you think some balk at sharing the cost of firefighting?

A. I guess I would say that communities are worried about losing control of the service level for their community. Some have concerns about losing their own identity. I think a key factor for me when looking at regionalization is: Can regionalization work for a particular community? As an example, here in The County, we are very rural with higher miles between communities, so response times become an issue when trying to regionalize fire service into a one-station response. However, dispatching services and specialty fire apparatus such as ladder trucks or heavy rescue vehicles, I think could be shared by several communities who share in the cost of the vehicle and maintenance. If we can't find the answers to getting more folks involved in the fire service community, we may need to look at full-time personnel to provide minimum coverage for fire and EMS. At that point, regionalizing may be the only financially feasible answer. At some point I believe community leaders will need to come together with

their counterparts from their surrounding communities or elect representatives to form a committee to explore what can be done to share services and reduce costs for taxpayers while still providing a quality emergency service. Hopefully they will seek input from fire/police/EMS professionals when making those decisions.

Q How do you work with the ambulance services in your area to ensure good service and coverage?

A. Before the Presque Isle Fire Department took on EMS, our community had a private ambulance service providing (emergency medical services). Presque Isle fire provided assistance when requested for motor vehicle accidents for extrication, or fire control if needed, and requests for lift assistance. We had a good relationship with that service, but we hardly ever worked or trained together. We each just really stayed in our own lanes, as one would say.

Q Many communities have added ambulance service to their fire departments in response to cost increases and staffing and other challenges for private services. How have Maine departments incorporated firefighting with emergency response while keeping costs in check?

A. In 2017, the Presque Isle City Council made the decision to begin providing emergency medical services to its citizens. One key driver for this decision was the simple fact the current level of fire service was beginning to be a real financial burden on the community. We had to determine whether we should reduce the level of service or look at revenue streams to allow us to continue to provide high levels of emergency services to our community. As an example, the department in 2017 consisted of 13 full-time firefighters and a volunteer department. Today we are staffed with 26 full-time firefighters and volunteer department providing fire and EMS at the advanced level, and now providing EMS services to seven other communities besides Presque Isle. EMS does not cover the entire cost of operations, (but) it has allowed us to grow and provide a higher level of fire and EMS services at a reduced cost to the community. Over the last eight years since we entered into EMS, 16 other departments across the state have become licensed EMS providers. Roughly 64 percent of EMS services today are being provided by fire departments. 🏔️

Aroostook County native **Clint Deschene** has been named Orono town manager, effective on July 8. He replaces **Sophie Wilson**, who resigned in December to take the manager's job in Freeport. Deschene, who grew up in Presque Isle, has managed Maine communities for 25 years, beginning with Bradford, then Hermon and Auburn. Most recently, he worked for the Aroostook Agency on Aging. His experience also includes six years as SAD 1 assistant superintendent. Deschene was among three finalists in a national search for a new manager.



Michael Gahagan

Longtime Caribou Police Chief **Michael Gahagan** ends his 51-year career in law enforcement when he retires on July 15. Gahagan began his long run in 1973 as a city beat cop and has served as chief for the past 19 years. He worked under eight city managers and four police chiefs in his career. Gahagan, a

Caribou native, received the Ethel N. Kelley Award from the Maine Municipal Association in 2018, one of only two police chiefs ever to receive the coveted award for outstanding leadership. A former president of the Maine Chiefs of Police Association, Gahagan actively served on 22 municipal and state committees.

Milo residents elected four new selectpersons in June, replacing the four officials who resigned after being caught on camera while holding an unofficial meeting in the hallway outside their meeting room. **Leland McMannus** received 81 votes and will serve a three-year term; **Anthony Heal** collected 94 votes to serve a two-year term; and **Tammie Anders** received 121 votes and **Brian Surette** garnered 75 votes to serve one-year terms. Chairwoman **Paula Copeland**, who was not part of the hallway meeting, rounds out the five member board.



Mary Ann Nichols

After nearly 50 years of public service, Columbia Administrative Assistant (AA) **Mary Ann Nichols** has retired. She was named town clerk in 1975 at the age of 27 and without municipal experience. She worked out of her home, which was typical in most all Maine small towns at the time. In one instance, she re-

corded someone's birth, marriage and death. She was promoted to AA in 1990, when the select board opened the first town office. As AA, she also served as tax collector and treasurer. Even after a half-century, Nichols said recently she was uncertain as to whether she was ready to retire.

Cape Elizabeth Harbormaster **Gene O'Neill** will retire this summer, after helping a new marine resource officer/harbormaster ease into the job. The towns of Cape Elizabeth and Scarborough share the harbormaster, who is part of the Scarborough Police Department. O'Neill began his law enforcement career in 1979 as a summer officer in Old Orchard Beach, his hometown. He was hired as a Scarborough patrol officer in 1988 and was promoted to detective and then sergeant. He also has worked as a crisis negotiator. He assumed the harbormaster's job in Cape Elizabeth in 2021.

The Nobleboro Select Board in early June named **Kevin Rawley** the town's new fire chief. Rawley, a lieutenant with the fire department, assumed his new duties immediately. Rawley has worked for the department since 2019. Interim Fire Chief **Aaron Bradbury**, resigned in May because he was traveling overseas for the next two years.



Melissa Stevens

Thomaston local government is in for a big change this summer, as the town clerk resigns, and the police chief and fire chief retire after long careers. Town Clerk **Melissa Stevens** has resigned but has agreed to stay on to train her replacement. She will work until September. She and her husband are moving to Georgia to be close to their family and first grandchild. Stevens has worked for the town since June 2020 and was named Rookie of the Year by the Maine Town and City Clerks' Association in 2021. She earned the title of certified town clerk in 2023.

The Monson Select Board has named interim Town Manager **Alaina Zelkan** to the position full time. She has served as interim manager since March, when William MacDonald resigned. Zelkan began her municipal career in 2016 as town clerk and administrative assistant for the Town of Garland, as well as town clerk in Brownville before taking a part-time deputy clerk's job in Monson in 2018.



Tim Hoppe



Mikial Mazzeo

Meanwhile, Police Chief **Tim Hoppe** will retire on July 5 so he can oversee one more Fourth of July town celebration. He has worked for Thomaston for 24 years and was named chief in August 2016. Fire Chief **Mikial Mazzeo** was honored with a retirement party on June 18. He joined the fire department in 1993 and was named chief in 2016.

Kathy Walker has been named Canton town clerk, succeeding Angela Varnum, who resigned in April. Walker worked as Canton interim administrative assistant, town clerk, tax collector and treasurer for three months in 2018. 🏡



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NEWS FROM AROUND THE STATE

STATEWIDE

Eight Maine communities will share \$22 million in federal grants to clean up major contaminated brownfield sites across Maine. Among the awards include \$5 million each to the Town of Lincoln and the nonprofit group Our Katahdin to clean up the Lincoln Paper and Great Northern mill properties, respectively. Other recipients included the City of Sanford, which will collect two grants totaling \$5.5 million to conduct 10 environmental site assessments and ready four priority Historic Mill Yard sites for cleanup. The Southern Maine Planning and Development Commission will receive \$3.5 million to cleanup sites in Berwick and Kittery. The final multi-million award goes to the City of Westbrook, which will receive \$4 million to rehab the River Walk North site. Three smaller projects were also funded. Another \$11 million will be allotted to four existing state brownfield cleanup programs.

STATEWIDE

A new report released by the University of Maine pegs the economic impact of Maine's lakes at \$14.1 billion annually in direct impact and \$3 billion more in related spending. Lakefront property accounted for most of the economic activity at \$13 billion. Lake recreation was the second largest category at \$501 million.

DOVER-FOXCROFT

Residents voted last month to preserve the historic Mayo Mill dam; a plan that will cost the town \$6 to \$8 million to repair. The question before voters was whether the town should recruit partners and pursue grant fund-

ing to remove the dam. The proposal failed by a vote of 441-557. The decision means taxpayer money will likely be needed to study, permit, and repair the dam. A town committee in January recommended the dam be removed and the site redeveloped to create a downtown park. The cost was estimated at \$20 million.

KENNEBUNK

Voters split with their neighbors in June and approved regulations for short-term rentals out of concern that the rentals are exacerbating the town's affordable housing crisis. Under the new local law, short-term rentals must be registered and inspected by the town, beginning next year. Other municipalities in the region have rejected similar moves, worried that local rules would be too burdensome for property owners. In York recently, a proposed short-term rental ordinance was narrowly defeated, while in Old Orchard Beach, the idea was quickly killed. But in Kennebunk, 75% of voters endorsed the new regulations. A state housing report last year concluded that the number of short-term rentals has remained flat along the Maine coast since 2000.

MADAWASKA

A new international bridge connecting the town to Edmundston, New Brunswick, Canada, opened June 6 after wishing, hoping and planning for 20 years. In addition to the bridge, a new \$65 million port of entry was constructed, replacing the old port built in 1959. The old bridge was closed on June 3. The new diagonal bridge was touted as one of the largest and most complicated bridge projects

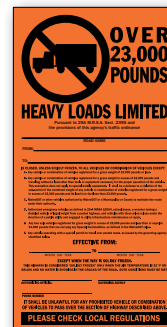
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in recent Maine history, state officials said. The bridge was built by Reed & Reed of Woolwich for \$86.5 million. Demolition costs increased the total cost to \$97.5 million. Construction on the new bridge began during the COVID pandemic, adding to the challenge. Municipal, state, federal and provincial governments collaborated on the project. A ribbon cutting ceremony is planned for August 15.

ROCKLAND

The city council in June voted to eliminate minimum lot sizes in some residential zones in an effort to boost housing development as communities across Maine confront a stubborn housing crisis. Councilors took the action, by a vote of 4-1, against the recommendations of the Planning Board, the Comprehensive Planning Commission and the Historic Preservation Commission. Opponents of the change argued that encouraging denser development near the downtown would tarnish the small-town feel of the tourism mecca. They also said the change would not lead to more affordable housing. Developers must still obey building requirements such as setbacks and height limits.

VINALHAVEN

Residents met in early June to discuss delays and can-

celations for the Maine State Ferry that serves Vinalhaven and five other small Maine islands. They were told that low pay from the State of Maine, which owns the ferry, has made it difficult to recruit staff to run the ferry. The ferry trip interruptions have caused islanders to miss health care treatments and appointments, school sports, and other events and appointments. The Maine State Ferry Service director acknowledged in a Facebook post that the staff shortages have caused cancellations. Some residents worried that the ferry service will collapse entirely if the state does not take action to address staff pay, which is not competitive in the industry, officials said. The ferry serves the islands of Vinalhaven, North Haven, Islesboro, Matinicus, Frenchboro and Swan's Island.

WISCASSET

Lincoln County commissioners last month decided hybrid gas-electric vehicles were not reliable enough to continue using in the sheriff's office. The County Commission voted to begin restocking the department's Ford hybrid vehicles. The county has contacted Ford about the possibility of returning the two SUVs due to major mechanical problems. One vehicle has been in the repair shop since January; the other for more than a month. Commissioners voted to cancel a pending order for two more Ford hybrids and approved buying two gas-powered models. 🏔️

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NEW ADA WEB ACCESS STANDARDS

In April, the U.S. Department of Justice (DOJ) issued a final rule under Title II of the Americans with Disabilities Act (ADA) addressing web and mobile application accessibility for people with disabilities. The rule adopts a specific technical standard that state and local governments will need to follow when providing or making available web content and mobile apps. The standard is based on the Web Content Accessibility Guidelines (Version 2.1, Level AA), an international standard developed by the World Wide Web Consortium.

State and local government web and mobile app content will need to meet the standards in the rule beginning April 24, 2026 (for those with populations of 50,000 or more) or April 26, 2027 (for those with populations under 50,000). Limited exceptions apply for content that is infrequently used or that may be particularly hard for governments to address right away.

In the meantime, municipalities continue to be governed by their general duty under Title II of the ADA to provide people with disabilities effective communication, reasonable modifications, and equal access to their services, programs, and activities.

The DOJ has issued a Compliance Guide ("[Accessibility of Web Content and Mobile Apps Provided by State and Local Government Entities: A Small Entity Compliance Guide](#)") and a Fact Sheet ("[New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments](#)") to help small governments understand the new requirements. To access these resources, visit www.ada.gov/resources and scroll down to locate the documents. The DOJ also maintains a toll-free ADA information line at 1-800-514-0301 (voice) or 1-833-610-1264 (TTY).

For more information on the ADA, also visit MMA Legal Services' Information Packets on the "ADA Title II"

and "ADA Title I - Employment" in the "Legal" section of MMA's website (www.memun.org/legal) (By S.F.P.)

ALL ABOUT ATV-ACCESS ROUTES

(Updating the May, 2005 and July, 2007 Legal Notes)

Question: The local ATV club has asked our board to open some local roads to ATV use. May or must the board? Is a town meeting vote necessary?

Answer: The municipal officers (select board or town/city council) may, but are not required to, open specific roads to ATV use; this decision rests exclusively with the board.

All-terrain vehicles (ATVs) generally may not be operated on public ways except under limited circumstances, such as to cross the road. See 12 M.R.S. § 13157-A. However, state statute authorizes the "appropriate governmental unit" (i.e., the municipal officers in the case of municipal roads) to designate a public way as an "ATV-access route," provided the board determines that ATV travel on the extreme right or within another specified portion of the right of way "may be conducted safely and will not interfere with vehicular traffic." The law also requires that ATV-access routes be posted conspicuously at regular intervals with highly visible signs designating the access route. See 12 M.R.S. § 13157-A(6)(H).

Whether or not the municipal officers designate a specific municipal road as an ATV-access route is completely and exclusively within their discretion. (If they do so, however, they must first make the required determination about safety and vehicular traffic, and they must provide for the required signage.) The public may attempt to influence the board's decision, but the municipal officers' choice is not delegable to the town meeting or subject to override by the voters, regardless of the municipality's form of government. Also, although factors such as safety, noise and dust may

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be legitimate considerations in making their decision, potential liability is not. Under the Maine Tort Claims Act, neither municipalities nor their officials can be held liable for “discretionary” acts such as designating ATV-access routes. See 14 M.R.S. §§ 8104-B(3), 8111(1)(C). Note that state law preempts virtually all other municipal regulation of ATVs (including regulation of ATVs operating on private property) except for regulations applicable to municipal property and rights of way held by the municipality. See 12 M.R.S. § 13201 and “Municipal Regulation of ATVs Preempted by State,” *Maine Townsman*, Legal Notes, July 2003.

Finally, an analogous procedure exists for designating “snowmobile-access routes” along the extreme right side of a municipal road. See 12 M.R.S. § 13106-A(5)(G). Similar board discretion, findings, signage and immunity from liability apply to snowmobile-access routes as to ATV-access routes. (By *S.F.P.*)

MILITARY EXCISE TAX EXEMPTION REVISED

New legislation revises the excise tax exemptions allowed for active-duty military personnel by expanding a statewide exemption for eligible servicemembers. (See PL 2023, c. 565).

Previously, state law granted an excise tax exemption to resident and non-resident active-duty U.S. Armed Forces personnel permanently stationed *in Maine*. The law also allowed municipalities to exercise a “local option” to allow *Maine resident* active-duty U.S. Armed Forces personnel stationed *outside* of Maine to claim an exemption. See 36 M.R.S. §§ 14863(16), 1483-A.

Effective August 9, 2024, the “local option” authority is repealed and replaced with a reformulated statewide excise tax exemption (codified at 36 M.R.S. § 1483(16)) as follows:

Vehicles are exempt from excise tax if owned by a person (or co-owned with a spouse) who is on active duty serving in the U.S. Armed Forces who is permanently stationed at a military or naval post, station or base in or outside Maine or who is deployed for military service for a period of more than 180 days or was deployed for a period of at least 180 consecutive days, a portion or all of which occurred in the 12 months preceding the request for an exemption from excise tax, and who did not previously receive an exemption for that deployment.

Eligible servicemembers (or spouses) must provide documentation of the member’s eligibility from the

MUNICIPAL CALENDAR

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

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

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

SEPTEMBER 2 – Labor Day, the first Monday in September, is a legal holiday (4 M.R.S. § 1051).

commander of the member’s post, station or base, or from the commander’s designated agent.

A person on “active duty” in the Armed Forces of the United States includes members of the National Guard or the U.S. Armed Forces Reserves provided the person meets the service requirements above. “Deployed for military service” means active military duty with the state military forces, as defined in 37B M.R.S. § 102, or the U.S. Armed Forces, including the National Guard and Reserves, whether pursuant to orders of the Governor or the President of the United States, when the duty assignment is in a combat theater or in an area where armed conflict is taking place. (By *S.F.P.*)

“LD 1” LEVY LIMIT REPEALED

One bright spot in the recently concluded legislative session was PL 2023, chapter 603, which repealed 30-A M.R.S. § 5721-A, or “LD 1,” as it is commonly known.

The “LD 1” statute was enacted in 2005 as a measure to limit local property tax increases. Since then, it has required each municipality to annually calculate its “property tax levy limit” based on several factors, including a “growth limitation factor” and new state funding. The levy limit has restricted the amount of property taxes that a municipality could raise for the municipal budget unless the municipal legislative body

expressly authorized “increasing” or “exceeding” that year’s limit.

Although the Legislature has repealed the annual levy limit process in its entirety, the repeal does not take effect until August 9, 2024. (By S.F.P.)

WRITTEN CONTRACTS

(Updating the August, 2013 Legal Notes)

Per Maine’s “Statute of Frauds” (33 M.R.S. § 51) certain types of contracts must be made in writing and signed by the parties to be enforceable. Those contracts of municipal interest include: (1) any contract for the sale of land or any interest in land; (2) any agreement that requires more than one year to perform; (3) any contract to pay a debt discharged in bankruptcy; (4) any agreement to give, bequeath or devise any property by will; and (5) any agreement to assume the debt or default of another.

Also, Maine’s “Uniform Commercial Code” generally requires that contracts for the sale of goods for a price of \$500 or more be in writing and signed by the parties (see 11 M.R.S. § 2-201).

Even when not legally required, putting a contract in

writing is an excellent idea, for the following reasons:

- A written contract can reduce the potential for misunderstanding and conflict by clearly stating the goods or the services purchased; the deadlines for commencement and completion; the time, manner, and amount of payment; the grounds and procedure for termination; the method for resolving disputes; and any other matters that may be crucial to a clear understanding and satisfactory performance of the agreement.
- A written contract is also proof that a contract does in fact exist and is the best evidence of the contract’s terms and conditions.

Unless a contract is required to be in writing, an unwritten or oral agreement is nevertheless legally enforceable, although proving its existence and its exact terms could be difficult.

See MMA Legal Services’ “Contracts & Competitive Bidding” Information Packet for additional guidance and samples relating to contracts, competitive bidding, public works project requirements, and related legal considerations, available in the “Legal” section of MMA’s website (www.memun.org/legal). (By S.F.P.)

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TRAINING CALENDAR

Maine Municipal Association & Affiliates

AUGUST

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|-----------|---------------|---|---|--------|
| 8/14 & 15 | Wed. - Thurs. | MTCCA Athenian Dialogue | Zoom Meeting | MTCCA |
| 8/14-16 | Wed. - Fri. | MTCMA New England Management Institute | Newry - Sunday River - The Jordan Hotel | MTCMA |
| 8/22 | Thurs. | Understanding the Freedom of Access Act | Zoom Webinar | MMA |
| 8/22 & 23 | Thurs. - Fri. | MMTCTA Governmental Accounting | Augusta - MMA | MMTCTA |
| 8/29 & 30 | Thurs. - Fri. | MTCCA New Clerks Workshop | Portland - Keeley's Banquet Center & Zoom Webinar | MTCCA |

SEPTEMBER

| | | | | |
|---------|-------------|--|--|--------|
| 9/4 | Wed. | MTCCA Voter Registration Workshop | Bangor - Cross Insurance Center | MTCCA |
| 9/5 | Thurs. | MTCCA Title 21A Workshop | Bangor - Cross Insurance Center | MTCCA |
| 9/5 | Thurs. | MMTCTA Payroll Law | Augusta - MMA | MMTCTA |
| 9/11 | Wed. | MTCCA Voter Registration Workshop | Portland - DoubleTree By Hilton | MTCCA |
| 9/12 | Thurs. | MTCCA Title 21A Workshop | Portland - DoubleTree By Hilton | MTCCA |
| 9/12 | Thurs. | MBOIA September Membership Meeting & Training | Portland - Keeley's Banquet Center | MBOIA |
| 9/17 | Tues. | Elected Officials Workshop | Augusta - MMA & Zoom Webinar | MMA |
| 9/18 | Wed. | MTCCA Networking day & Annual Business Meeting | Augusta Civic Center | MTCCA |
| 9/18 | Wed. | MFCA Membership Meeting | Brunswick - Greenwood Emergency Vehicles | MFCA |
| 9/18-20 | Wed. - Fri. | MAAO Fall Conference & Annual Meeting | Newry - Sunday River - The Jordan Hotel | MAAO |
| 9/19 | Thurs. | MBOIA Northern Chapter Training | Brewer - Brewer Auditorium | MBOIA |
| 9/20 | Fri. | MWDA GA Basics Workshop | Augusta - Maine Municipal Association | MWDA |



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