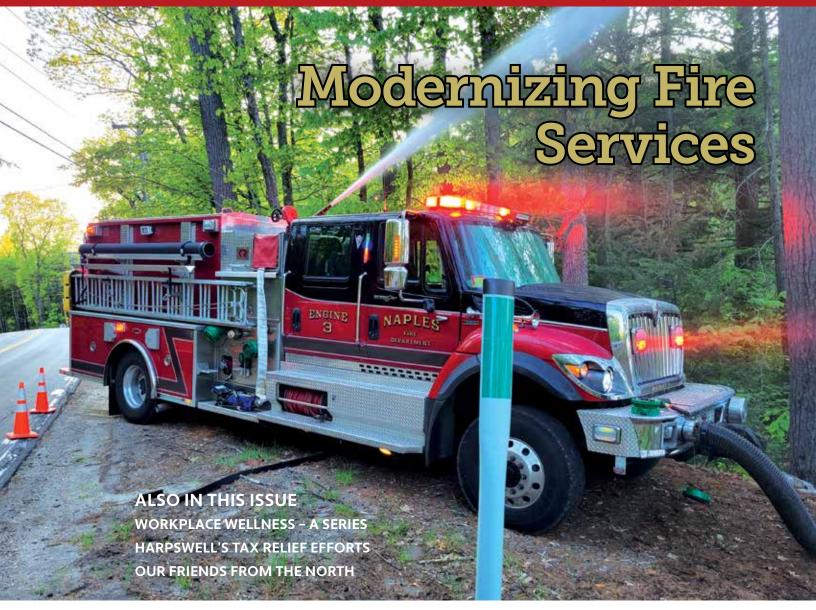


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In this issue

Workplace Wellness Series. In April, the Maine Municipal Health Trust held its annual workshop for wellness coordinators participating in the Maine Municipal Employees Health Trust's Wellness Works Program. This multi-article series will highlight the wellness efforts taking place across the state and kicks off with tips for addressing workplace conflict and recognizing burnout. Page 7

Q&A with Chief Hathaway. This month, the 2024 MMA Ethel N. Kelley Memorial Award winner, Mark Hathaway, Bangor Police Chief, discusses his law enforcement career, recruitment and retention successes, and philosophy on policing, which is rooted in building relationships. Page 11

OSHA Fire Brigade Rule. In February 2024, OSHA released a proposal overhauling the rules guiding fire and emergency responder services. While amendments to the rule, implemented 40 years ago, are necessary, the requirement to modernize the system within the proposed three-year timeline is cost exorbitant. In response to the concerns raised by volunteer service providers across the country, the rush to the finish line has slowed. Page 15

Delivering Property Tax Relief. Fueled by the can-do attitude of the Harpswell Aging at Home organization, this year residents not only had access to free tax filing services but were also able to take advantage of the property tax relief programs offered by the state and municipality. Page 19

Municipal Profiles. This month the Town & City turns its attention to Frank Therio, Lincolnville Code Enforcement Officer. Therio has been described as well suited for the role as he "brings a wealth of knowledge in life experience and very rarely gets frustrated by what comes through the door." Page 23

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About the cover:

Engine 3 Emergency vehicle from the Naples Fire & Rescue Department. (Photo courty of Naples Fire Chief Justin Cox)



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Maine/Canadian Relationship, Challenged but Resilient

By Catherine Conlow / Executive Director

Maine communities have never been isolated from national or international events. Our close proximity to the Canadian border—and our deep ties with the people of Quebec and Atlantic Canada—have always connected us to something larger. Before September 2001, the border was fluid. Americans and Canadians crossed freely for

business, vacations, and family visits. Many in our Northern Maine communities are dual citizens owing to the fact that community hospitals were actually in Canada. Further, the indigenous people of Maine and Canada occupied both sides of the St. John River Valley. Their borders, etched by a way of life, didn't exist in the current context of geopolitical politics.

The events of September 11, 2001, changed that way of life. The once-easy border crossings became more complicated, disrupting daily life and economic activity, especially in our border communities that straddled the Maine-Canada line. Yet, over time, people adapted. Though our perspective on security and travel changed, our relationships—economic, cultural, and personal—endured and our connection with our Canadian neighbors remained strong.

In 2013, tragedy struck in Lac-Mégantic, Quebec. As a native of New Jersey, I initially saw it as a terrible accident in another country, despite the fact that my husband's family hailed from Lac-Mégantic. But for native Mainers, it was personal. Lac-Mégantic is not just a place on a map—it's a neighbor, a part of the extended community. Maine towns immediately mobilized to offer support, just as they would for any town in our state. It became clear to me that the border ceased to exist in the face of shared grief and longstanding friendship. The bond between Maine and Canada goes beyond geography—it's about shared economics, culture, and history.

Then came the lockdowns of 2020. Once again,



our cross-border ties were tested. The closure of the border meant weddings were missed, funerals unattended, and Sunday dinners with Canadian family put on hold. Maine summers felt different—quieter and emptier without our Canadian friends and family. But when restrictions were lifted, communities and residents on both sides of the border

worked to reconnect. Canadians returned to Maine's beaches; Mainers traveled once again to Quebec's Winter Carnival and to enjoy Prince Edward Island's gulf waters. A new bridge connecting Madawaska and Edmundston, built with support from federal, state, and local leaders on both sides of the border, symbolized our commitment to shared economic and cultural strength.

Now, in 2025, we face a new geopolitical challenge to maintaining our Canadian connections. As a result, the State is projecting that the number of Canadian visitors coming to Maine will decline by 70%. But this is more than just a tourism issue, it means reduced state sales tax revenue and a drop in municipal Revenue Sharing, which supports essential local services. More deeply, it represents yet another event that places stress on a relationship that, not long ago, operated as if there were no borders.

Change is inevitable but, in the end, I believe we will get through this, just as we have before. But each time a crisis puts distance between us and our Canadian friends and family, the path to reconciliation and our way of life, becomes more difficult. Over the course of the decade, it often feels like one step forward, two steps back.

Our governor, federal delegation, and local leaders remain committed to maintaining our strong ties with Canada. Now, more than ever, local government leaders must reaffirm our commitment to cross-border relationships, community resilience, and the deeprooted ties that have always united us.



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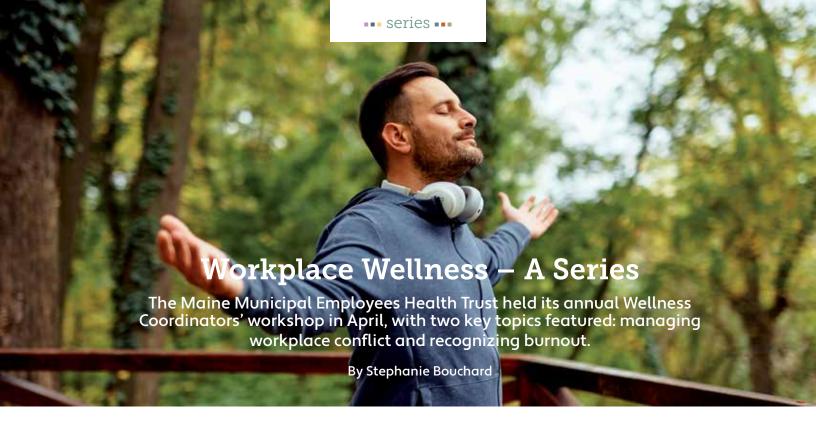




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Managers devote 20% to 50% of their time dealing with conflict among their team members.

"That's a tremendous amount of your workday navigating conflict – and yet we don't talk about how to do it better," said Mandy Levine.

Levine, an attorney and a workplace investigator, shared that statistic during her presentation in April on workplace conflict as part of an annual workshop for wellness coordinators participating in the Health Trust's Wellness Works program. Offering presentations and educational opportunities, such as Levine's, to enhance the wellness and well-being of public service employees is part of what Maine Municipal Employees Health Trust does for its members.

Since 1983, the Health Trust has provided access to a wide variety of employee benefits for members of the Maine Municipal Association. Today, more than 450 municipalities, counties, special districts, and non-profit organizations participate in one or more of Health Trust's plans.

But the Health Trust doesn't just offer access to employee benefits like insurance, it also provides comprehensive customer service and support programs, such as Wellness Works, a health education and wellness program.

Wellness Works features in-person and virtual health education on topics ranging from menopause to sobriety to nutrition to age-related memory concerns to managing personal finances to exploring fitness options. The program also offers members grants to support their employee health and wellness efforts.

This month's issue of *Maine Town & City* kicks off a series sharing some of those efforts. We begin with some takeaways from the presentations on navigating workplace conflict and recognizing and healing burnout at April's workshop for Wellness Works' coordinators.

Navigating Workplace Conflict

Many people dislike conflict – differences in opinion, goals and what's important – and will go to great lengths to avoid it. Quite often, avoiding those potentially emotional situations can lead to worse problems, including frustration, resentment, tension, anger, decreased productivity and employee turnover.

While many people view conflict as combative, it doesn't have to be so, said Levine during her presentation. Instead of viewing a workplace conflict as "you versus me," reframing it as "you and me" teaming up to solve a problem is a great way to flip the conflict script, she said.

Flipping the script starts by understanding what sort of conflict you have:

- Relationship a personal disagreement in which somebody feels that they have been disrespected.
- Task a disagreement over what we are trying to accomplish.
- Process a disagreement over how to get something accomplished.
- Status a disagreement over who's in charge and who deserves credit.

With an understanding of the type of conflict, the next step is to examine goals – what we want to get when we engage in conflict resolution. Often, our goal is "to get you to change your mind and to perceive that my perspective is the right one," she said.

More effective goals include:

- Learning and understanding the other person's perspective.
- · Reaching a compromise.
- · Salvaging a strained work relationship.

The next step is to mentally prepare for the conversation with the person you're in conflict with by reframing the conversation as an opportunity for growth rather than a tug of war, she said. Consider these questions to put yourself in a less adversarial state of mind:

- What is the story you are telling yourself about the conflict?
- What is the story you are making up about the other person?
- What do I actually know for sure?
- What might the other person be thinking or feeling or believing?
- What do you know about the other person's conflict style?
- What might be going on in the other person's life that is contributing to the conflict?
- · What would you do if you were in their shoes?

It is also helpful to do your research before engaging in a conflict conversation and to jot down the key points that you want to discuss, Levine said, and to schedule a time and neutral place for the conversation. Do not, she said, have your conversation in the hallway on the fly or over email.

When you're face-to-face for your conflict-related conversation:

- Keep to the "naked facts," meaning describe the situation as you understand it without adjectives.
 "There's a big difference between saying 'You were super rude at the meeting this morning' versus 'I observed that you interrupted somebody else three times," Levine said.
- After stating the naked facts, describe the impact on you, the other people in the room, other coworkers, the organization, etc.
- · Extend an invitation to talk about it.
- · Do deep breathing to quiet your emotions.
- Engage in active listening (listening to understand rather than listening to react).
- Paraphrase and repeat back to the other person what they said.

- Don't be afraid to take a break or reschedule the meeting if either of you need to cool down.
- Use phrases like "Are you open to another perspective?" or "Here's what I'm thinking."
- Avoid name calling and telling the other person to calm down, and don't say things like "you always," or "you never."

When tackling possible resolutions, you and the other person may have to do some brainstorming to reach a solution that feels fair and satisfies both of you to the extent possible, Levine said.

Once a solution is agreed on and the conversation ends, send an email to the other person summarizing what you think you agreed on to make sure you're both on the same page and stating what the next steps are. Ask if there's anything else they'd like to discuss.

Keep in mind that just because there's a shared agreement doesn't mean that you agree with them or they agree with you, Levine said. Flipping the script means the goal is not to prove you're right and they're wrong, or vice versa, she said; it's coming to an understanding that there's a difference between you and agreeing to a fair and reasonable solution.

Recognizing and Healing from Burnout

"We use the term 'burnout' for everything," said Cory Tilley, a recruitment specialist for Aroostook County Mental Health Services whose presentation to the Wellness Works program coordinators was about recognizing and healing from burnout.

"You go to work (and say) 'I'm so tired. I'm burned out today.' Well, from someone who is a survivor of burnout, let me tell you, you don't burnout for a day," he said. "That's called exhaustion. That's real too, but we have to know the difference."

Knowing what burnout is as compared to stress is important to counteract it and heal from it, Tilley said. How do you recognize burnout? You start by knowing what burnout looks like.

Burnout has five phases, Tilley said:

- The honeymoon phase, in which you have high job satisfaction, commitment, energy and creativity.
- The onset of stress, when your optimism begins waning and you experience common symptoms of stress.
- 3. The chronic stress phase, when there's a marked change in your stress levels with more intense symptoms.
- 4. Burnout, when symptoms become critical and you are finding it harder and harder to cope.

5. Habitual burnout, when you experience significant ongoing mental, physical and/or emotional problems.

Symptoms of burnout include:

- · Disengagement.
- · Blunted emotions.
- · Loss of motivation or ideals.
- · Detachment or depression.
- · Sense of helplessness or hopelessness.

Preventing burnout and healing from it requires effort, and, very often, changes, he said.

- · Practice good nutritional and exercise habits. Do little things that make sense for you and that you will actually accomplish, he said. Take the stairs instead of the elevator. Eat one doughnut instead of two.
- · Pay attention to how you feel.
- · Let go. You don't have to do it all. Learn to say no without feeling guilty. Set boundaries and limits for yourself and respect them. Incorporate letting-go techniques, such as meditation and breathwork.
- · Create a positive social support network, and use your resources, such as your employer's Employee Assistance Program.

It can be easy to find yourself on the burnout path, despite your best efforts, Tilley said, so:

- Be aware of what can derail you.
- · Have an accountability partner and check in with that person.
- Set the bar low for making changes. Try the 60 Day Healthy Living Challenge in which you select one thing you want to do for yourself and do it for 60 days. For example, commit to reading a chapter in a book every evening; taking a five-minute walk during your lunch break; striking up a conversation with someone you don't know once a week; putting \$5 from your weekly paycheck into your savings account.

If you're an overachiever, Tilley joked, "Don't just pick one (thing to do for yourself); pick three."

ABOUT THIS SERIES

The Maine Municipal Employees Heath Trust not only provides valued insurance benefits for its members but also gives participating employers access to health education tools and health promotion benefits via the Wellness Works Program. Through this series, the Maine Town & City will explore the Wellness Works Program and how employers from across the state are working to improve employee health, morale and quality of life.



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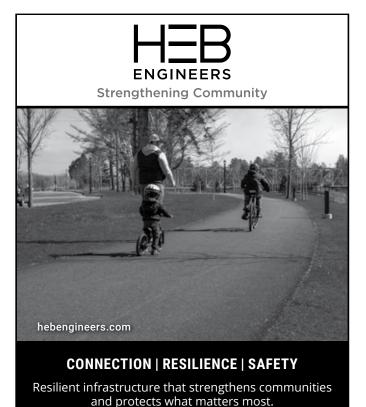
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Mark Hathaway: Honored to Serve

By Liz Mockler

Bangor Police Chief Mark Hathaway spent his childhood years helping his father in his Texaco service station in Orono. They often worked on police cars and cops were always coming in and out of the shop. He was intrigued by what he saw and was inspired to sign up at age 18 for what has become a 40-year career in Maine.

"It's all I've ever done, to be a police officer. It's all I know," he said. "I saw the cops coming and going and I was interested and intrigued ... so I took a shot at

it, and I loved it. I was very young when I started, and I've enjoyed it ever since."

Hathaway received the Ethel N. Kelley Memorial Award last fall from the Maine Municipal Association. It recognizes service above and beyond what is expected and is considered the most coveted award MMA presents.

"I don't expect to receive awards. I'm not a person who seeks attention," Hathaway said. "But I was absolutely surprised by this honor and truly thankful to receive it. I would never have expected it. It meant a great deal to me."

Hathaway grew up in Veazie and graduated from Orono High School in 1984. He dove into the world of law enforcement when a buddy working for the Veazie Police Department urged him to apply. He served in Veazie until 1986, when he joined the Biddeford department. He was hired in Bangor in 1987.

His career goal was to be a lieutenant. He joined the city as a patrolman and then was promoted to detective, then sergeant, then director of the bomb squad, then lieutenant and acting deputy chief before his promotion to chief in 2013.

"I didn't think I'd be chief," he said. "I was hoping to one day be a lieutenant, a leader, that was my goal. I'm really grateful I had this opportunity to serve."

Hathaway bragged on the city, which he said is the perfect size with boundless opportunities for the public at large and for young officers, too, including a chance to train for the bomb squad, the airport unit, polygra-



pher, detective or a member of the K9 Unit, among others.

"This is a great community. There is so much opportunity here," he said. "That's what I found intriguing when I came here. I wouldn't change a thing."

Hathaway recently took time to talk about crime in Maine, his policing philosophy and his one big fear as police chief

Q. How would you describe crime in Maine today?

A. Maine is the third safest state in the country. We live in communities where we were raised to respect each other, nearly everyone looks after their neighbors, and we have exceptional and well-supported law enforcement all across our state. The feeling of being safe and views about crime are often based on perception and experience. Theft is up while violence is not. The grip of substance abuse is still with us while instances of overdose and death have thankfully dropped. We are very fortunate to live in Maine. Crime is generally low, community partnerships have strengthened, and Mainers are actively involved in maintaining the quality of life in their neighborhoods.

Q. What is your policing philosophy?

A. Cooperation. Finding a path to understand the views of those who counter us allows for continued dialogue and the blending of ideas. Relationship building does not suggest that we need to bargain away our values, ethics or duty to enforce the law. Rather, it reflects a commitment to solving problems with a common approach. As a young police officer, I wanted to finish the job as quickly as possible so to be ready for the next. Today, I better appreciate the value of relationships and time. The success of a police department is rooted in reputation, public trust and employing good people. While most police departments across our state are in a good place, we all know this is a work in progress.

Q. Is recruiting still a major problem for Maine departments?

A. The challenge is real, but there are positive hints of a shift. The number of applications is on the rise. Inter-

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est from out-of-state police officers has increased, and criminal justice programs across the state continue to produce quality applicants. Most police departments are hiring. This is a fantastic time for a young person to explore this profession or for someone who has been in the workforce for years but wants something more rewarding, exciting or just different. The opportunities are vast. Every police agency offers unique experiences and interesting opportunities. The time is now – if anyone reading this has ever had a passing thought of becoming a police officer, please consider visiting your local police station, sheriff's office or state police barracks. Your new career is waiting for you!

Q. Do you have incentives in Bangor to recruit candidates?

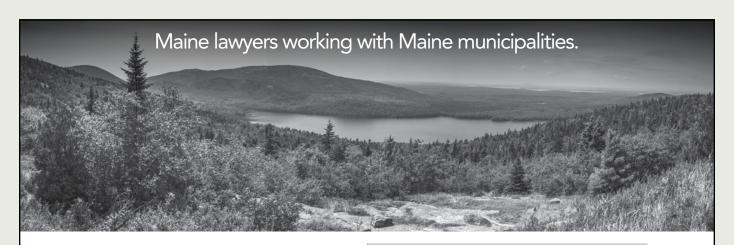
A. Yes. It is our people. Really. We have offered financial incentives, recruitment bonuses and other common methods with varied results. We have found that a sensible work schedule, competitive compensation, limitless training opportunities and a dozen or more specialty offerings has indeed moved the needle. The real incentive is our staff. Good people attract good people. It sounds unoriginal, but it is true. For the first time in more than fifteen years we are fully staffed – and we do know how quickly that can change. We are always recruiting and are relentless in our pursuit of our next career employee.

Q. Other than recruiting, what is a major challenge for your department?

A. Retention. The downside of employing smart people is that they know how to compare contracts from other police agencies! Our focus is on how to keep our team engaged and committed to a long career with us. We are fortunate to have the support of city leadership and our elected officials. While just throwing money at this sounds like the solution, it is not, but it does help. We are continually working to refine the balance between work, life and job satisfaction. We are like any other successful business—we need good people. Recruiting is just the beginning. Retention is the real challenge.

Q. How do you sustain good morale in the ranks?

A. Police officers have been complaining about morale since the early creation of police forces. I was a young officer once and I too complained about morale. Morale seems to be a moving target. Improving morale is about treating your staff well and giving them the space to build it themselves. We are fortunate to have supervisors who play an important role in shaping morale within their crews. Workplace stability, a supportive environment, and a culture of being part of a successful team all contribute to what we hope is "good" morale – or at least something close to it.



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Q. What is something that vexes you?

A. The diminishing value of institutional knowledge. Change is good but it often comes with challenge and the loss of the past. Those of us currently serving are custodians of historic police departments across our state. We have a responsibility to honor the legendary police officers who came before us by learning from them. We also appreciate that our senior members carry valuable insight as well. If we overlook the experience of previous generations, we risk repeating the same mistakes. We must find the balance between the past and present to give our new and innovative employees the space to grow, to shape the future and allow them the opportunity to chart their path and safeguard our institutions.

Q. What would you change about your department if you could?

A. I would bring back the timeless look of a traditional uniform and hat-and play episodes of Adam-12 on a continuous loop in the patrol room. As you can imagine this is not all that popular. We are doing as well now as we have at any time over the past ten or more years. Future planning is more important now than ever before. Increased agency collaboration, specialty unit partnerships and the implementation of civilian response units for routine, non-criminal and non-emergent issues are some quick thoughts. If I could work on one initiative today, it would be the development of the civilian response group. There is potential for improved efficiency and real cost savings if we shift minor issues that do not necessitate the response of a police officer to a civilian response group allowing officers to focus on critical real-time issues, criminal investigations, preventative patrol and conventional police work. All we need is time

and money. I am short on both. So, it's time to get to work!

Q. Is there anything that keeps you up at night?

A. I worry that one or more of our officers will face a life-altering challenge. The challenge I fear is with a person who is struggling with untreated mental illness, which is sadly a significant segment of our population, and is engaged in a violent action, forcing our officers to react. The action and outcome will change two lives, and potentially many more, forever. I am very confident in our officers. Our officers have safely de-escalated and stabilized countless instances with compassion and conversation. I worry that there will be "the one" instance when compassion and conversation do not work. I truly hope my worry never becomes a reality.

Q. Any advice for officers who aspire to be chief one day?

A. This is such an extraordinary profession. On any day you can change a person's life for the better, participate in something exciting, or achieve something great. Becoming a police chief is truly special. It has challenges, opportunities and the unique pressure of leadership. It is absolutely fantastic. I wish everyone could experience it. We have a strong group of future leaders in our department. I want them to create their own opportunities. Show up. Work. Always know others are doing the same. Never give in— ever. Identify what separates them from others and use it. Be modest. Stay connected. Be the first to arrive and last to leave. And know one day someone will take a chance on them. I know this to be true. I was given that chance, and I will be forever grateful.



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Proposed changes to safety and health standards governing firefighters, emergency responders and equipment have sparked so much concern that the federal agency promoting them appears to be pulling back.

In February 2024, the Occupational Safety and Health Administration proposed to update the 1984 Fire Brigade Standard. As described in the 250 pages in the Federal Register, the proposed rule, labeled Emergency Response Standard, "would expand the scope of OSHA's standard to include a broad range of hazards emergency responders encounter during emergency response activities and would bring the standard in line with the Federal Emergency Management Agency's (FEMA) National Response Framework and modernize the standard to align with the current industry consensus standards issued by the National Fire Protection Association (NFPA) on the safe conduct of emergency response activities."

The proposed standard includes a fatality and injury analysis, and the health effects of emergency response activities, including those "associated with exposure to hazards that can cause both chronic physical health and adverse psychological health effects for responders, in-

cluding but not limited to adverse cardiovascular and respiratory effects, cancers, post-traumatic stress disorder (PTSD), and suicide."

But fire personnel both in Maine and elsewhere across the United States fought back, urging changes as well as delays in implementation to allow for time to prepare.

"It had not been updated for the past 40 years, and (OSHA) decided that they were going to try to achieve a lot in a very short period of time," said William "Bill" Gillespie, chief of Liberty Fire & Rescue, a volunteer fire department in Waldo County. Gillespie is president of the Board of Directors of the Maine Fire Chiefs' Association and legislative liaison for that group.

"Any of it would have been crippling to most volunteer departments because it was too much too fast, and they were gearing more towards a professional model, not necessarily volunteer," he said. "Fortunately, it looks like a lot of the OSHA mandates have been drawn back on because the Bureau of Labor Standards received so much testimony from across the country on just the impact that this would have."

The Social Security Administration's Program Operations Manual System says, "A volunteer fire department consists of volunteers who extinguish fires and provide other emergency services for a local jurisdiction. Some vol-

unteer departments may operate where paid firefighters also provide emergency services."

It goes on: "Volunteer firefighters work part-time or oncall and may have other jobs. Although they are volunteers, employers may pay them as employees when they respond to an emergency or participate in training drills. An on-call firefighter may also volunteer time for other non-emergency duties such as training, fundraising, and maintaining equipment."

Among those registering opposition to the proposed standard is the National Volunteer Fire Council (NVFC). A statement on the organization's website says, "While many of the proposed provisions in the Emergency Response Standard would be helpful and improve the safety of emergency responders, many of the new requirements would be very burdensome, and in many cases impossible, for volunteer fire and emergency service departments to comply with. If the standard is adopted in its current form, many departments would be forced to shut their doors or else operate outside of the federal standard, leaving themselves open to fines, citations, and huge civil liability exposure."

A letter from the chair of the National Volunteer Fire Council, Steven W. Hirsch and Caleb Kruckenberg, litigation





Chief William "Bill" Gillespie, Liberty Fire Department and president of the Maine Fire Chiefs' Association (Photo courtesy of Liberty Fire Department)

director for the Center for Individual Rights, asked OSHA to withdraw the proposed standard as written, saying, "The proposed standard is (economically) infeasible, arbitrary, capricious and incorporates by reference limitedly available industry consensus standards."

It also notes, "The NVFC serves as the national voice for the over 676,000 volunteer firefighters comprising 65% of the nation's fire service."

Gillespie estimates that there are 450 fire chiefs or fire departments in Maine, with 90% of them volunteer or paid per call.

The proposed changes include replacing trucks every 20 years, which would be a significant burden for rural departments. "My tanker, which we've had for 24 or 25 years, has 9,000 miles on it. It's in phenomenal shape, certified and inspected," Gillespie said, adding that if that rule went into effect, Waldo County would lose 70% of its equipment. "Small communities might have 100 calls a year; they're not putting the mileage on a truck."

Gillespie said state representatives wrote a letter to OSHA noting the effect the rule changes would have.

Oakland Town Councilor David Groder wears three different fire helmets: He is chief of the Augusta Fire Department, which has 64 firefighter/paramedics among four shifts; assistant chief of Oakland Fire & Rescue, which has four full-time personnel and an additional per diem for eight hours per day; and he is a captain in the Sidney Fire Department, which has about a dozen volunteer firefighters.

As far as a delay in the newer rules, Groder said he understood things have been quiet.

Auburn firefighter Daniel Hillier, also a firefighter with the Naples Fire & Rescue (Photo courtesy of Daniel Hillier)



His concerns about the proposed rules include budget impacts. "It's all about the timing of this should this occur," he said. "Physicals would need to go more in depth than what most departments are doing. Increasing a per person cost and requiring more in-depth physicals would be a bigger impact for smaller departments."

He noted that the Augusta department rotates trucks about every 10 years, moving them from the front line to the back line as it replaces the frontline trucks. He also said now it takes two to three years to receive a new truck once it's ordered.

"Some of the requirements are well due," he said, of the proposed changes. "They haven't changed in some time, but some of them are very stringent." He cited requirements that say chiefs need to be a Fire Officer III, and noted that some departments change their chief every year, so obtaining that certification could be burdensome for those who have full-time jobs outside emergency response.

A posting for Fire Officer III training by the Regional Alliance for Firefighter Training shows it is a four-day, in-person course with this prerequisite: "The candidate must be Firefighter II, Fire Instructor I, and Fire Officer II certified as approved by the authority having jurisdiction."

In Augusta, most of the chief officers are Fire Officer IIIs, with Groder and the battalion chiefs rated as Fire Officer IVs.

"In the smaller departments, it's tough to get a young guy that's working to go to school to get that," Groder said. "Another problem is there's so much request for it they can't deliver it fast enough. I'm one of the instructors for the Fire Officer I program and they're constantly setting up programs north, south and central, and they just fill the classes every time."

He added that Augusta Fire & Rescue recently hosted a Fire Officer III training for 32 students from all over the state, and all succeeded in passing the qualification standard known as "The Pro Board."

Naples Fire & Rescue Chief Justin Cox too is concerned about the financial effect of the proposed requirements. "We just don't have the budget that supports what they're trying to do," he said. The department's annual budget is about \$1.2 million.

Cox, who has been chief since 2019, said the impetus for making those changes seems to be dying down. "There was a lot of talk about it a few months ago, back in the fall. I really haven't heard anything since then. We were just trying to wait and see what they were imposing on each department. Obviously, it's not feasible for any department to do what they were talking about all at once. I agree with a lot of it, and I think a lot of chiefs agree with what they're trying to do. It's just the implementation of it all at once. No one can do that. There's not enough money."

Cox agrees with some of the proposed new rules, particularly the safety precautions. "Everyone's dealing with dirty fire gear in the fire station and having a safe place to keep your gear that's ventilated," he said. "There's no one that's going to argue against that. It's just how can we afford in the older fire stations to renovate to be able to accomplish that? There's just not enough money."

The U.S. Bureau of Labor Standards' "Occupational Outlook Handbook" offers a definition of a professional fire-fighter and work environment: "Firefighters control and put out fires and respond to emergencies involving life, property, or the environment. On the scene of a fire or other emergency, firefighters' work may be dangerous. On call at fire stations, firefighters sleep, eat, and perform other duties during shifts that often last 24 hours. Most paid firefighters work full time."

Not only do they work full time, many firefighters also work with other fire departments, many times assisting with training as well as responding to emergencies. Cox noted that in the Naples area, a firefighter may work with three or four departments.

Daniel Hillier, who has been a firefighter/EMT with Auburn Fire Department for 16 years, is concurrently a lieutenant with Naples Fire & Rescue. In the fire service for 25 years, he is also a National Fire Academy instructor.

Naples has three full-time personnel 24/7 every day and that number rises to five people during the weekdays. The full-timers are supplemented by per diem and on-call fire-fighters.

Hillier is concerned that imposing mandatory minimum hourly requirements for training, which is one of the pro-

posals, will discourage volunteers. He said that the call company in Naples meets once a week four times a month. One of those nights is a department meeting, and the others are training sessions that last a minimum of two hours. "It's not mandatory; that's why you have a good turnout," he said. "I think anything you make mandatory is hard on call and volunteers. Everybody's schedule is everywhere."

The proposed rules also delineate the treatment and storage of gear.

The National Institute of Standards and Technology, part of the U.S. Department of Commerce, is researching the presence of per- and polyfluoroalkyl substances (PFAS) in firefighter turnout gear. PFAS-also known as forever chemicals-have been linked to cancer and other diseases. In two studies released so far, researchers found "the highest PFAS concentrations were consistently observed in the outermost two layers of turnout coats and pants" and that "abrasion, weathering and heat caused measured PFAS concentrations to increase. Laundering had little effect."

The proposed standard addresses that as well, saying the turnout gear-once it's cleaned in special washers and decontaminated (which is already done today) must be stored in a separate room that's well-ventilated and compartmentalized. That's a concern for smaller and older departments that might be limited in space.

"Retrofitting stations to have that room is a financial impact," Hillier said. "That doesn't happen overnight."

It also prevents firefighters from bringing their gear

home or keeping it in their vehicle. That means they might have to pass the scene of the emergency while getting to the station to grab their gear.

Another proposed regulation is expiration dates on turnout gear. "Right now, basically if it's 10 years old, we take it out of frontline service." Hillier said, explaining that it is not used by firefighters who are battling a fire inside a building. However, it might be issued to firefighters, particularly in the on-call company side in Naples, who are not front-line personnel. They might be the firefighters who operate pumps or direct traffic.

Under the proposed rules, "You have to put somebody who will never go into a fire in a \$4,000 set of gear, which is crazy," he said. "We would rather see the gear last us as long as we can and always keep our active guys and well-trained guys in new gear and then the guys in a support role can have the gear that's no longer suited for that. That's a big deal for a small department."

So far, no changes in the proposed rules have been announced by OSHA.

In early April, Gillespie was preparing a strategic plan for the Maine Fire Chiefs' Association regarding anticipated rule changes. "We will address some of the concerns and try to get ahead of some of the thoughts that OSHA has even though they may not come to fruition," he said. "We want to be prepared if they do that over the next three to four years so that we're not so awestruck by the number of demands that they were looking at." 🗥









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Delivering Property Tax Relief

While the chatter at the state level is about property tax relief, the Town of Harpswell is delivering. From securing free tax preparation services to implementing a local program to provide tax relief to those most in need.

By Janine Pineo

A National Public Radio story in late April told of an idea that took shape and blossomed in Harpswell over the past few months.

Volunteers at Harpswell Aging at Home noticed that men were missing from a lot of the group's activities, the story stated, and they knew there were many single, older men in their community who didn't cook and who weren't getting out to socialize. They also knew that for older residents, isolation and loneliness can be detrimental to a person's well-being.

Out of those observations – and with some work from a group gathered to figure out a plan – there came together a monthly lunch named ROMEO: Retired Older Men Eating Out. Since the lunch launch last fall, word has gotten out and the number of men gathering for the free meal has more than quadrupled, averaging 55 people the last few times.

For a while now, the community in Harpswell and its environs has been honing its skills on communicating and getting the word out on any number of things, such as the ROMEO lunches, oftentimes with Harpswell Aging at Home right in the middle of things. HAH, as it is known, is a community organization powered by volunteers with a mission to help older adults thrive while remaining in their homes.

But HAH's community building since its founding in 2015 hasn't been solely for older adults in Harpswell. It has reached beyond one demographic to readily include other demographics to build even more community, with long-time support from the Town of Harpswell itself.

So, it was no surprise to find the chair of HAH's volunteer committee right in the middle of things in trying to have CA\$H Maine set up a tax preparation site in Harpswell so anyone eligible for the free service, including from other municipalities, could come and get their taxes done and filed.

The town provided the space for the event and then it was all about getting the word out and people signed up for an appointment. And, wouldn't you know, a town ordinance from 2015 would provide a little surprise along the way.

The tax plan

CA\$H Maine is one of the initiatives of the United Ways of Maine, with nine regional coalitions across the state who

partner with non- and for-profit entities. The goal is to help Mainers achieve long-term financial stability by educating people about money matters through programs and outreach in their communities. Part of that year-round work is providing free tax preparation to those who qualify for the service.

Jay McCreight, a former state legislator and current chair of HAH's volunteer committee, knew about CA\$H Maine through United Way. Her work as a legislator and her involvement in connecting resources in the midcoast region gave her a look at other locations that offered free tax preparation through CA\$H Maine and its regional coalition, Midcoast Maine CA\$H.

There are several locations where Midcoast CA\$H holds its tax prep sessions, and McCreight would let people know the service was available but an issue that kept turning up was one that often stymies outreach across the state: transportation.

McCreight knew from her time as a legislator that she had constituents who were eligible for CA\$H Maine services but had no way of getting to any of the locations. "We have a really serious issue with people struggling," she said. The goal was "the closer, the better. If we'd filled up [the appointments], they'd have encouraged them to go elsewhere."

Steve Cohen, tax site coordinator for Midcoast CA\$H, agreed that lack of transportation means many people who are eligible cannot use the service.

He gave the example of holding a first-time session at Bath Housing last year where about 30 people took advantage of the program; this year that number grew to almost 50 people.

Other places where tax prep sessions are held include Bowdoinham, which had about 80 people, and Boothbay, which had about 70, he said. Midcoast CA\$H even did a session in Warren for the prisoners who are on work-release programs. They have to file taxes, too, he said, with about 45 making use of the free service.

Cohen explained that many Maine residents don't have to file income tax returns, such as those whose only income is Social Security or Social Security disability benefits. The issue with not filing is that there are state programs available to relieve some of the tax burden. To take advantage of those programs, the individual has to file a state tax return. The person also needs to know that there are programs

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available, where to find the forms for those programs, fill them out and file them with their returns.

If a person is on a fixed income and doesn't have to file for income tax, they won't take the money to pay a tax preparer or accountant, who would likely know that these benefits exist. What changes the equation is if that person knows they have to file to get refunds that they are eligible for and the services for filing are free.

But only if they can have access to the services.

Getting those benefits to people who are eligible is what motivated McCreight. "Hence, let's get CA\$H Maine to Harpswell," she said. You cannot assume people don't need the services, she said.

McCreight coordinated with the Town of Harpswell for space at the town office. "The town was excited about it," she said.

"People could come from anywhere," not just within Harpswell for the Harpswell session, McCreight said. The location has good parking and accessibility for those with disabilities.

The only qualification for the free tax prep service, Cohen said, was that income this year had to be under \$67,000.

More than two dozen availed themselves of the free service in Harpswell, which disappointed Cohen only in that he wanted more people to use the service. But he knows those numbers can grow. "Our best marketing is word of mouth," he said.

If people know they can get refunds, they will make the appointment to get the paperwork filed. And in Harpswell, residents have an added motivator that came as a surprise to Cohen as he organized the session.

A surprise with impact

The most basic state tax relief program is the Sales Tax Fairness Credit, which will pay qualifying residents a \$150 refund if their income is under a certain amount. For 2024, it was \$24,750. Higher incomes mean lower to no credit.

Cohen said most of the refunds at Bath Housing, which offers stable housing with 175 affordable apartments, were

for the sales tax credit. And for those on a fixed income, \$150 can mean a lot.

On the same tax form is the Property Tax Fairness Credit (PTFC), which is also income-based and applies to homeowners and renters alike if they qualify. The credit is up to \$1,000 for those under the age of 65 and up to \$2,000 for those over 65.

What surprised Cohen was an ordinance that the Town of Harpswell had approved in 2015, which establishes the town's own property tax assistance program.

A number of municipalities offer municipal programs based on the state program, including Woolwich, Cumberland, Brunswick, Fryeburg, Saco, Eliot and Falmouth. Municipalities generally make them age-based, incomebased and sometimes require that the person has lived in the municipality for more than a year, usually for at least a decade. Those ordinances lay out the qualifications and often are called senior property tax relief programs.

For seniors on fixed incomes, those programs can provide a much-needed financial boost if they know they need to file a state income tax with the appropriate tax forms at the state and municipal level.

In Harpswell, the ordinance requires a full year of residency, that the applicant has received a credit from the state's tax relief program and that they have paid their property tax in full for the year.

There is no age barrier.

Deputy Town Administrator and Treasurer Terri-Lynn Gaudet said the town could potentially match up to \$800 of that person's credit through the municipal program.

Initially, the municipal program was linked to the state's circuit breaker program, which was repealed. Its replacement in 2015 was the Property Tax Fairness Credit program.

"The Harpswell Select Board, when it brought this program to voters," Gaudet wrote in an email, "designed it for everyone who qualified for the PTFC and did not require a certain age as many other municipalities do."

Participation in the program changed significantly from the years prior to 2015 because eligibility narrowed. 2014 was a transition year between the two programs and had no activity that year as a result. Since 2011, the town has voted to fund the program varying amounts, with a grand total of \$151,500 allocated over the 2011-2024 period. Of that, the town has paid out \$148,989 in refunds.

Last year, the town had 18 residents apply, with an average refund of \$526.

"There is less participation as the state changed the criteria and many people don't want to file taxes if they are not required to," Gaudet wrote. "We keep it going though!"



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Profiles of Service...Frank Therio, Lincolnville Code Enforcement Officer

By Stephanie Bouchard

When Frank Therio was 11, he organized a runaway party. He'd been living at New Gloucester's Opportunity Farm for Boys since he was seven, and he was done with it.

"They had a disciplinarian who was an ex-Marine," Therio, now 88, recalls. "If you swore, you had to dig a hole five feet by five feet by five feet, and then you had to fill it back up."

The youngest of four children, Therio was sent to the farm during World War II when his father was building PT

boats, and his mother joined the ranks of women working in the defense industry colloquially, referred to as Rosie the Riveters.

But with the war long over, Therio was fed up with working on the farm, living in a dormitory with other boys, and putting up with the strict lifestyle. He wanted to return to the house in Portland which is where the entrance to Maine Medical Center is now.

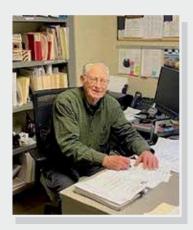
He hatched a plan with two other boys, and the trio took off on foot, planning to walk the 26 miles. "I was determined," Therio said. They didn't get far, though. During a head count, he said, "Someone squealed on us," and the escapees were returned to campus.

But not for long. Therio's attempted escape didn't succeed in the moment, but the school sent him back to his family in Portland.

While being at Opportunity Farm had been a hardship for Therio, it also, he said, gave him strength and honed in him determination and perseverance, character traits that serve him to this day as Lincolnville's part-time code enforcement officer.

You could say that being a code enforcement officer was Therio's second career, but it's really more like a fifth career.

His first career was with the Air National Guard, where he served for 20 years. He joined when he was 17, attending Portland High School during the day and loading trailer trucks at night. After graduating from high school, he enrolled at the University of Southern



Maine in Portland with the intention of becoming a forestry engineer, but a bout of mononucleosis derailed those plans, putting him on a path he never imagined: his second career working with the country's biggest telecommunications companies.

"By the grace of God, I was being led by somebody else," he said. "He was leading me unbeknownst to me."

After recovering from mono and leaving USM, Therio got a job working in AT&T's central office in Boston. "I be-

came part of a team that was sent back to Maine with the early warning system that the United States had," he said.

That early warning system was called the Semi-Automatic Ground Environment (SAGE), the United States' first comprehensive, computerized air defense system. Begun in 1951 in response to the Soviet Union's detonation of an atomic bomb, SAGE's network of radars, planes, weapons and computers became operational in 1963.

"We had floating cement Texas towers out on the ocean, and we had bombers up in the air 24/7," he said. "What we did in AT&T, we supported that with all the communications back and forth between the planes and the console towers, and that was all fed from the Texas towers so that anything over the American skies, we had an eye on them and we had the ability to stop (anyone)."

After a few years, Therio left AT&T and joined IBM, one of the companies heavily involved in SAGE. He spent 30 years with IBM, having a number of roles, including training IBM's engineers, managing the testing department for the company's airlines project, and finally, managing the company's project managers before retiring from the company in 1991.

While working for IBM, Therio had a number of side hustles. To supplement his income and support his family, he worked at a liquor store at night and did plumbing jobs on the weekends. In 1982, after building a log cabin almost entirely by himself, he started a house inspection business and, after retiring from the telecommunications industry, worked for HouseMaster



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of America doing inspections.

He left HouseMasters to become a trade show manager, but quit after three years and moved back to Maine, where he continued his house inspection business and joined MBNA. After retiring from MBNA in 2001, he began his fifth career, this time in municipal government, as Searsmont's code enforcement officer and plumbing inspector.

He served in those roles for a couple of other towns, but in 2007, he dialed it back to one part-time job as the code enforcement officer in Lincolnville.

"He is a worker," said Jim Hanson, a retired general contractor from Northport who has known Therio for about 20 years through his code enforcement work. "I think he keeps young by working."

Being a code enforcement officer is often a thankless job, and one neither Hanson nor Liberty-based septic designer James Marple would want to do, but Therio seems well-suited to the role, they said.

"He doesn't develop an attitude towards the public," said Marple. "And the attitude is where people get turned off and then they fight you."

"He's been real fair about working with him," Hanson said. "If you're doing your job and you're doing it the best of your ability, Frank is right there. He'll explain to you what needs to be done."

"He brings a wealth of knowledge in life experience



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and very rarely gets frustrated by what comes through the door," said David Kinney, Lincolnville's town administrator. "I think he recognizes that people's frustrations aren't with him, but it's with the rule that he has to tell them or enforce for them. And how you go about that means the world. There's many different ways to do that. You can be your own worst enemy in that job by your own attitude. He just brings to the job that knowledge that we can make this work."

For example, after the storms pummeled the coast in the winter of 2024 and did a lot of damage to Lincolnville's businesses, one business owner wanted to raise their building in an effort to avoid future flooding and damage from the incoming ocean. "Frank had the difficult task of saying, 'You can't do it per our current ordinance,'" said Kinney.

But then Therio spoke with Kinney, the town's select board and the town's attorney to create an amendment to the ordinance that still complied with the state's shoreland zoning rules but allowed the property owner to safeguard their property.

"(He) could have just been, 'Nope, you can't do it' and close the book and 'Get out of my office,'" Kinney said. "The job isn't to say no; the job is to try to help people, and he does that."

"Once a week, someone will say to me, 'I would not want your job,' and I stop and think back what's wrong with my job? I like my job," said Therio. "There's challenges every day."

Challenging his mind and body are important to him, he said. He started lifting weights when he was 16 and is still lifting weights three times a week, plus using an elliptical and doing other exercises on the other days. He cares for his home and a camp and, last fall, cut up three cords of wood. "I've been given a temple to take care of and I take care of the temple and it makes me feel good," he said.

Continuing to work is part of taking care of himself, he explains. "Your mind and your body, they continually function when you have all these things in front of you," he said. "Your brain is like a muscle; if you don't use it, it atrophies. All of these things add together."

"I've heard a number of people say, 'Boy, I'm hoping when I'm 88, I'm going at it as hard as Frank is, but I hope I'm not working,'" said Kinney. "(But) I think that's part of the reason that he enjoys being code officer because you get to exercise your mind."

When people ask Therio when he'll retire, he replies, "When I can't get out of bed or when I'm dead."

"What keeps me going?" he asks. "Well, I guess I love life."



WEDNESDAY - JUNE 11, 2025 - UNIVERSITY OF SOUTHERN MAINE, PORTLAND

Keynote Presentation

How to Become an Employee Whisperer: What Every Manager Should Know About Human Nature

When you understand human nature, you become like Ceasar Millan, the Dog Whisperer, except for people. Because Ceasar Millan understands "dog nature," he can take a dog whose owner finds frustrating and problematic and turn that dog into a model citizen and "high performer." Why? Because the dog's owner doesn't understand "dog nature" and Ceaser does. Instead of being frustrated and puzzled by why employees don't care as much as you wish, or work as hard as you need them to, or if you find it hard to find and keep quality employees...crack the human nature code and become an Employee Whisperer.

Presenter: David Lee, Founder, HumanNature@ Work

About our Keynote Speaker:

David Lee is the founder of HumanNature@Work. He has keynoted conferences and worked with organizations both domestically and abroad. An internationally recognized thought leader in the field of employee engagement and performance, he is the author of over 150 articles and book

chapters published in the U.S., Europe, India, Australia, and China. He is the author of Managing Employee Stress and Safety, published by MEMIC, and Powerful Storytelling Techniques, published by ATD Press, and Dealing with a Difficult Co-Worker. Recently, his work on what makes organizations resilient, and employees perform at their best has focused on the central role productive relationships and conversations have on these outcomes, with this being the take away message: "Every better business result you want requires having a better conversation."

Succession Planning: The Time is Now!

Are you worried that your internal bench of potential successors is not very deep? Are you trying to figure out the most effective methods to develop people skills for your future managers and leaders? Is hiring qualified candidates continuing to be a challenge? Then this session is for you, because employee seniority doesn't always translate to competence, and technical proficiency isn't always a predictor of supervisory effectiveness. Succession planning isn't solely an HR department issue, it's not about pre-selection, and it's not simply about pumping up your training budget. Gold standard organizations use succession planning to develop and maintain strong leadership at all levels and

to ensure that they address all the capabilities employees require for today and tomorrow's work environment. Participants will develop the skills needed to design and implement organizationwide succession planning.

Presenter: Patrick Ibarra, Co-Founder and Partner, The Mejorando Group

Common Wage and Hour Violations and How to Avoid Them: Key Compliance Tips for **Public Sector Employers**

Correctly calculating overtime pay under the Fair Labor Standards Act's (FLSA) regular rate principles and properly designating employees as exempt or non-exempt can, at times, be complicated. The session will focus on FLSA compliance topics, including a review of summer youth employment restrictions and how Maine's labor laws interact with FLSA. The presentation will be followed by a Q&A period, and compliance assistance resources will be made available to attendees.

Presenters: Ana Maria Rogers, Community Outreach and Resource Planning Specialist, Wage and Hour Division, U.S. Department of Labor; and Scott Cotnoir, Director, Wage and Hour Division, Maine Department of Labor

Pathways to Public Service: The Power of **Apprenticeships**

Local government offers critical and quality jobs across Maine. However, amid demographic shifts and other pressures there is a growing workforce shortage and a need to attract, train and retain the next generation of public sector workers. Session participants will learn how registered apprenticeship programs can help governments meet their talent needs and hear directly from communities that are utilizing apprenticeships to upskill workers and fill jobs.

Presenters: Andrew Campbell, Policy Program Manager, The Urban Institute; Joan Dolan, Director of Apprenticeship & Strategic Partnerships, Maine Department of Labor

Get Ready: Maine Paid Family and Medical **Leave Benefits Start Next Year**

Maine Paid Family and Medical Leave (PFML) contributions from employees and employers across the state are building up a trust fund to support Maine workers. PFML benefits are scheduled to begin paying out of that fund May 1, 2026. Join Maine Department of Labor staff to learn about what's covered, what isn't, what the claim application process will look like, and more.

Presenters: Luke Monahan, Director of Paid Family Medical Leave Program, Maine Department of Labor; and Sarah Brydon, PFML Claims Administration Director, Maine Department of Labor

Demographic and Economic Trends in Maine

Maine's population saw significant growth during the past few years. However, will that growth continue into the future? How will the state's demographics contribute to changes in the labor force and employment? What can we expect from changes in the economy? This session will tackle these questions and more, with a focus on demographic and workforce trends.

Presenter: Amanda Rector, Maine State Economist

What's In Your Employee Handbook?

This session will highlight ten common mistakes in employee handbooks and provide practical solutions to enhance clarity and compliance. Gain valuable insights to ensure your policies are up-todate and legally sound.

Presenters: Matthew Tarasevich, Shareholder, Bernstein Shur; and Ann Freeman, Shareholder, Bernstein Shur



Lifelong Ashland resident **Alicia Burby** has been hired as the town's new manager. She replaces **Cyr Martin**, who resigned last August to take a job with the Aroostook Regional Transportation System in Presque Isle. Burby, a former selectboard member, is leaving a career in finance and insurance to take the position. She and her husband also own an automotive repair shop. Burby is an active community volunteer who has served on multiple local boards and organizations.

Former Lewiston Mayor **Paul Dionne** died April 17 at the age of 82. He served as mayor for four years in the 1980s, when he oversaw the redevelopment of Lisbon Street into a busy business district. He also helped bring Lewiston-Auburn College to the city. He was a popular lawyer and a veteran of the Vietnam War.



Sonja Eyler

Sonja Eyler has been named acting Presque Isle city manager, replacing Tyler Brown, who resigned in March. Eyler was promoted last November from library director to assistant city manager. She served as librarian for 26 years at the Mark and Emily Turner Memorial Library.



Kathy Littlefield

Waldo Selectperson Kathy Littlefield has retired after 53 years on the board. In the early years, Littlefield took on several duties, including animal control, road commissioner, health officer and member of the town planning board. Littlefield is believed to be Maine's longest serving elected municipal official. In 2017,

she was awarded the coveted Ethel N. Kelley Memorial Award from the Maine Municipal Association, which recognizes outstanding and dedicated community service. In addition to serving as a selectperson, Littlefield was a member of several boards over the years, including the MMA's Legislative Policy Committee and the state Board of Environmental Protection.

Patricia Sutherland died peacefully after a short illness on May 6 but not before being honored at the Chapman annual town meeting in late March for her 50 years of service to the community. She was praised for her unwavering dedication and tireless commitment to the Aroostook County town of 450. Her public positions include selectboard member from 2005 until her death,

including serving as chairwoman; Chapman Planning Board from 1983 to 2004 and chairwoman from 1986 to 2004; budget committee from 1974 to 2002; state representative from 2006 to 2009; and the Northern Maine Development Commission from 1989 until her death, including a stint as chairwoman. Sutherland also served on the Maine Municipal Association Executive Committee from 2014 to 2017. She received the MMA's Ethel N. Kelly Memorial Award in 2016 for outstanding public service.



Susan Lessard



Jacob Gran

Bucksport Town Manager Susan Lessard will retire on June 30 after nearly 10 years. Bucksport Assistant Town Manager Jacob Gran will replace Lessard. He is a former Bucksport town clerk who took the manager's job in Pittsfield before returning in 2024 to be groomed for the top job. Lessard has 44 years of experience in municipal government and plans to offer her service as a consultant to towns that need help preparing for an audit, balancing the budget or any other financial work. After her first retirement in 2015 from Hampden, she sought work on an interim basis only. She ended up being convinced to take the Bucksport job permanently. She worked in Hampden for 15 years and also managed Vinalhaven, Fayette and Livermore Falls. She started her career as the Searsport town manager in 1980. She is a former Maine Municipal Association president and is serving her 16th year on the Maine Department of Environmental Protection Board of Directors, currently serving as chairwoman.



Dana Rice

Longtime Gouldsboro Selectman Dana Rice, Sr. died on April 9 at the age of 78. He had served on the selectboard since 1996 and was chairman at the time of his death. Officials praised Rice's selfless dedication to the town and his leadership over nearly three decades. Rice retired as the town's harbormaster, serving for

more than 40 years, in 2022, when the town dedicated its annual town report to him.



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NEWS FROM AROUND THE STATE

STATEWIDE

Maine municipalities with populations of more than 4,000 will be required to enforce new building codes that went into effect in April. Towns with fewer than 4,000 residents can opt-out of the enforcement, under the bill that was passed into law in 2019. The major changes to the codes, include new options to meet energy efficiency standards. The changes are expected to improve health and safety and reduce energy costs.

ANDOVER

Voters in April nixed a proposal to switch to a town manager form of government, arguing there wasn't much difference between that form of government and the selectboard running the town. When the selectboard said it could no longer handle the day-to-day functions of the town of 800, that there was too much work to do, residents suggested increasing the board by two members and giving them a raise in pay. Switching to a manager form of government would have cost \$70,000. Andover's Town Manager Search Committee had recommended eliminating all current municipal staff and handing over the work to a manager and assistant. The vote to reject the proposal was 42-82.

BLUE HILL

A developer who hoped to subdivide a blueberry barren and build houses was denied his application in early April because of its aesthetic impact on the community. The developer bought 38 acres of former commercial blueberry land in 2023 and is now deciding whether to appeal the planning board's unanimous decision or to sell the property to a nonprofit for double the \$949,000 he paid.

CASTINE

The coastal community of 1,200 in Hancock County has been named the No. 1 best small town in the Northeast by USA Today Readers' Choice Awards for 2025. Meanwhile, Wiscasset earned the No. 6 spot, followed by Bar Harbor in ninth place. Other towns included Stowe, Vt., at No. 7 and Gettysburg, Penn., at No. 8. USA Today described Castine as "a hidden gem ... rich with maritime charm" and noted that Wiscasset has been dubbed "the prettiest village in Maine." Bar Harbor, home to Acadia National Park, "is a wonderful town to explore" with myriad outdoor activities for people of all ages.

LEWISTON

The city in April debuted its "This is Lewiston" awareness campaign to feature the transformation of the so-called Tree Streets neighborhood in the downtown and to leave behind the "tired rhetoric" of the former mill city, officials said. Thanks to a \$34.2 million grant from the U.S. Housing and Urban Development for the Tree Streets project, \$175 million in private, federal, state and local government investments has been raised from 2021 through 2024. During that period, Maine's second-largest municipality recorded \$324.5 million

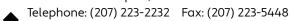


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in construction permits, which led to a citywide revaluation and a valuation increase of \$1.17 billion.

LIMESTONE

The Taste of Maine Potato Chip Co. has started construction of its new \$55 million plant on the former Loring Air Force Base in Limestone. The Presque Isle-based company expects to begin production in a year. The 80,000-square-foot plant could employ as many as 100 people. The plant will consume 1,500 acres worth of potatoes a year, the company said. The plant was first proposed in February 2024.

MEXICO

Special town meeting voters in March decided not to reinstate the town police force after months of discussion and debate. The vote was 234-88. The police department had been shuttered after the retirement of the chief last August and the departure of the three law enforcement officers. The town has contracted with the Oxford County Sheriff's Office for coverage. Officials had estimated that reviving the police department would cost \$1 million a year to operate.

MONMOUTH

The town's police chief announced in late April that he will withdraw his application for a U.S. Immigration and Customs Enforcement (ICE) program that would have allowed the police force to cooperate with the federal agency to enforce federal immigration laws. The chief, Paul Ferland, also leads the Winthrop Police Department and said he would withdraw that application, too. Most of the 60 residents who attended a Monmouth selectboard meeting in April in person or via Zoom spoke out against the cooperation plan. Residents said they did not want to be the first small Maine town to take on the controversial work and noted that several hundred men had been deported to El Salvador without proper due process. The town is home to agricultural operations that employ migrant workers. Immigration is a top priority for the Trump Administration.

PITTSTON

The town has sued its road commissioner and his company for \$2 million for inadequate work on a major roadway that will cost the town \$1.8 million to repair. According to the suit, the alleged defects have caused several issues, including premature pavement failure and excessive washouts. The selectboard voted on March 9 to file the suit, which was accomplished on March 28. The commissioner's company was hired in April 2019 to repair the road. Two engineering firms hired by the town to assess the road said the pavement would need to be removed and road repaved, as well as other work. The firms concluded the road problems were caused by poor construction and compaction of the subsurface.

Interested in having your community featured in the People or News segments of the Maine Town & City? Share your successes with municipal officials across the state.

Please send to Liz Mockler at: lizmockler1@hotmail.com.

Photos are encouraged.

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LEGAL NOTES (by MMA Legal Services)

NO ORDINANCE AMENDMENTS FROM THE TOWN MEETING FLOOR

Question: At a recent open town meeting, someone noticed an error in a proposed ordinance; could the voters have amended the ordinance to fix that issue at the town meeting?

Answer: No. As we interpret the law, a proposed ordinance may not be amended from the floor of an open town meeting.

Unless a statute or municipal charter provides otherwise, ordinances must be enacted using the procedures outlined in 30-A M.R.S. § 3002. In a nutshell, § 3002 requires that:

- (1) The municipal officers must vote to certify to the municipal clerk one copy of the final version of the proposed ordinance at least 7 days before the town meeting. Certification formally confirms the final version and specific wording to be presented to voters (which is especially helpful if several drafts have been circulated).
- (2) The clerk must keep the certified copy of the ordinance as a public record and make copies available for distribution to the public and at the town meeting.
- (3) An attested copy of the certified proposed ordinance must be attached to and posted with the town meeting warrant (or if the ordinance is over 10 pages, the warrant may state that a copy is available in the clerk's office).
- (4) The question must be presented to voters in the following form: "Shall an ordinance entitled '______' be enacted?"

Primarily because the law requires the certified version of an ordinance to be presented as a simple "yes" or "no" choice, it has been the longstanding view of MMA Legal Services that the statute prohibits voters from revising the proposed ordinance at town meeting. In our view, an ordinance must be voted up or down in its entirety.

If problems are discovered at the last minute or if the voters find some provisions particularly controversial, the voters have two options: they may reject the ordinance in its entirety and the select board may present an improved version at a future town meeting or the voters may enact the ordinance "as is" and the select board may present corrective amendments at a future meeting.

Note that additional notice, hearing and filing requirements apply to ordinances that will be adopted at a referendum town meeting and for specific types of ordinances (e.g., zoning ordinances).

See our Ordinance Enactment Information Packet in the "Legal" section of MMA's website for more information. (By S.F.P.)

CANNABIS CAREGIVER RETAIL STORES AND "OPTING IN"

It has recently been suggested to some municipalities that they may have an obligation under current law to "opt in" to allow medical cannabis retail stores to operate in their municipality, or that they may face liability for failing to do so. This is not the case.

The issue arises because legislation effective August 9, 2024 (PL 2023, c. 679) redefined the term "caregiver retail store" under the Maine Medical Use of Cannabis law. The new definition defines a caregiver retail store as "a store authorized . . . and used by a registered caregiver to sell cannabis paraphernalia, cannabis plants, harvested cannabis, related supplies or educational materials to qualifying patients and other items to the general public at a fixed location." See 22 M.R.S. § 2421-A(12).

The new definition is significantly broader than the previous statutory definition. As a result, more medical cannabis caregiver operations will be classified as "caregiver retail stores" by the state Office of Cannabis Policy (OCP) when these establishments apply for a new or renewed annual state registration.

Medical cannabis retail stores, along with medical cannabis dispensaries, testing facilities, and manufacturing facilities are prohibited from operating in a municipality unless that municipality's legislative body (town meeting or council) has voted to "opt in" to allow those establishments. See 22 M.R.S. § 2429-D. There is an exception for medical cannabis establishments that were operating with express municipal approval on December 13, 2018; these may continue to operate even if the municipality has not "opted in" to allow these facilities.

A caregiver retail store must provide OCP with confirmation that the municipal legislative body in the municipality where its store is located has previously voted to "opt in" to allow caregiver retail stores (or that the store is grandfathered) before the OCP may issue a registration for that store.

Some caregivers that are now classified as "retail stores" because of the new definition may have difficulty renewing their state registrations because caregiver retail stores have not been authorized to operate in their municipality and their operation does not qualify as a grandfathered establishment. These municipalities may receive requests to now "opt in" to allow these caregiver retail stores to operate.

Certainly, municipal leaders may pursue municipal legislative body approval authorizing caregiver retail stores to operate in their municipality if that is desired. However, there is no legal obligation for a municipality to vote to allow cannabis retail store establishments to operate in the municipality. Although unfortunate, the fact that some caregiver establishments now fall under a different state registration category is the result of action taken by the state Legislature, not by any municipality. Municipalities that have not "opted in" are not out of compliance with recent statutory amendments; the decision whether to allow caregiver retail stores to operate within a municipality continues to remain a legislative decision for each municipality's legislative body. See 22 M.R.S. § 2429-D(3).

Moreover, neither a municipality nor relevant municipal officials have liability for a decision not to "opt in" to allow caregiver retail stores to operate in the municipality; these are legislative and discretionary decisions that are immune from liability under the Maine Tort Claims Act. See 14 M.R.S. §§ 8104-B and 8111.

For more information on local authorities concerning medical and adult use cannabis, see our information packets on these topics in the "Legal" section of MMA's website (www.memun.org/legal). (By S.F.P.)

REQUIRED REVIEW FOR SHORELAND ZONING ORDINANCES

(Updating the December 2022 Legal Notes)

Municipal shoreland zoning ordinances and ordinance amendments are not effective unless approved by the commissioner of the Maine Department of Environmental Protection (DEP). If an ordinance or an amendment adopted by a municipality is inconsistent with or less stringent than state minimum shoreland zoning guidelines, the commissioner's approval may include conditions imposing the minimum standards. If the commissioner fails to act within 45 days after receipt of an ordinance or amendment, approval is automatic. See 38 M.R.S. § 438-A(3).

To obtain formal approval from DEP's commissioner, a certified copy of the ordinance or amendment, attested and signed by the municipal clerk, should be submitted after it has been adopted by the municipality's legislative body (town meeting or council), along with a copy of the zoning map if the map was amended or a cover letter confirming that the current map remains unchanged.

As DEP's staff continues to work remotely, municipalities are asked to scan attested ordinance copies as pdf documents and email them to the staff member serving the municipality's region. Those staff members are:

- Central Maine region: Colin Clark, (207) 441-7419 or colin.a.clark@maine.gov
- Eastern Maine region: Jessica Sayers, (207) 275-9836 or jessica.sayers@maine.gov
- Northern Maine region: Ross E. Gatcomb IV, (207) 242-0063 or ross.gatcomb@maine.gov
- Southern Maine region: Jeffrey Kalinich,
 (207) 615-7044 or jeffrey.c.kalinich@maine.gov

Municipal Calendar

MAY 26 – Memorial Day, the last Monday in May is a legal holiday (4 M.R.S. §1051). Municipal officers shall direct the decoration of veterans' graves. (30-A M.R.S. § 2901).

BY JUNE 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 General Assistance. DHHS@maine.gov, or sent to DHHS, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311).

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

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

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

At this time, paper copies should be mailed only if the municipality is unable to send the documents electronically. Mailing addresses for MDEP regional offices are:

- Augusta: 17 State House Station, Augusta, Maine 04333-0017
- Bangor: 106 Hogan Road, Bangor, Maine 04401
- Presque Isle: 1235 Central Drive, Presque Isle, Maine 04769
- · Portland: 312 Canco Road, Portland, Maine 04103

To document DEP's receipt of an ordinance and the beginning of the 45-day approval period, municipalities should retain a copy of their email filing; or if mailing, send the ordinance via certified mail, return receipt requested.

Don't forget that DEP's Shoreland Zoning staff possesses a wealth of knowledge on shoreland zoning and mapping requirements and are available for consultation and technical assistance during the development of ordinance and map updates. Any municipality considering ordinance amendments would be well-advised to consult DEP staff early in the process to identify and resolve issues that might otherwise prevent approval or that would require DEP to impose conditions of approval correcting or amending the ordinance.

For more information on shoreland zoning requirements, see DEP's webpage at www.maine.gov/dep/land/slz/. (By S.F.P.)





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- USING GENERATIVE AI AT WORK. This track consists of modules focused on the ethical implications, risk mitigation, and practical applications of AI in public service work
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Both courses include: (1) hands-on activities enabling participants to experience how AI can be used; (2) information and tips from industry experts; and (3) flexible learning options, allowing participants to work through sessions at a pace that is comfortable, accommodates learning styles and supports the work-familylife balance. Participants will receive a certificate once the training is completed.

In addition to the online courses, InnovateUS offers weekly workshops on a variety of topics, including sessions focused on program evaluation and data use. Not only are the workshops free but they are also recorded, enabling municipal officials to review sessions as schedules allow.

For more information about this exciting and free training opportunity, please visit InnovateUS at https://innovate-us.org/partner/maine-municipal-association or simply use the QR code!





TRAINING CALENDAR

JUNE				
6/3	Tues.	MMTCTA Tax Liens Workshop	Augusta - MMA	MMTCTA
6/5	Thurs.	MCAPWA Highway Congress	Skowhegan - Skowhegan Fairgrounds	MCAPWA
6/5	Thurs.	New Managers Workshop	Augusta - MMA	MMA
6/11	Wed.	MMA Municipal HR & Management Conference	Portland - University of Southern Maine Campus	ММА
6/17 & 18	TuesWed.	MTCCA Athenian Dialogue	Zoom Meeting	MTCCA
6/18	Wed.	MBOIA Northern Chapter Training: Septic/Plumbing	Holden - Town of Holden Highway Garage	MBOIA
6/24	Tues.	MMA Lunch & Learn	Zoom Meeting	MMA
6/24	Tues.	Understanding the Freedom of Access Act	Zoom Webinar	MMA
6/24	Tues.	MFCA Membership Meeting & Luncheon	Bar Harbor - The Bar Harbor Club	MFCA
JULY				
7/8	Tues.	MTCCA Municipal Law Training	Augusta - MMA & Zoom Webinar Hybrid	MTCCA
7/10	Thurs.	MBOIA July Membership Meeting & Training	Augusta - MMA	MBOIA
7/22	Tues.	MTCCA Licensing Workshop	Augusta - MMA	MTCCA
7/24	Thurs.	MMTCTA I've Got the Job - What Now? Workshop	Augusta - MMA	MMTCTA
7/29	Tues.	Planning Board/Boards of Appeal	Freeport - Hilton Garden Inn	MMA
AUGUST				
8/5	Tues.	You're the boss - Now what?	Augusta - MMA	MMA
8/5 & 6	TuesWed.	MTCCA New Clerks Training	Orono - Orono Town Hall & Zoom	MTCCA
8/13-15	WedFri.	MTCMA New England Management Institute	Newry - Sunday River - The Jordan Hotel	MTCMA
8/14	Thurs.	MLGHRA Summer Training	Augusta - MMA & Zoom Webinar Hybrid	MLGHRA
8/19	Tues.	MMA Lunch & Learn	Zoom Meeting	MMA
8/21 & 22	Thurs Fri.	MMTCTA Governmental Accounting Workshop	Augusta - MMA	MMTCTA
8/26	Tues.	MTCCA Voter Registration Workshop	Augusta - Augusta Civic Center	MTCCA
8/27	Wed.	MTCCA Title 21A Workshop	Augusta - Augusta Civic Center	MTCCA
8/27 & 28	WedThur.	MTCCA Athenian Dialogue	Zoom Meeting	MTCCA
SEPTEMBE	R			
9/3 - 5	Wed Fri.	MAAO Fall Conference & Annual Meeting	Newry - Sunday River - The Jordan Hotel	MAAO
9/3	Wed.	Understanding the Freedom of Access Act	Zoom Webinar	MMA
9/9	Tues.	Elected Officials Workshop	Augusta - MMA & Zoom Webinar Hybrid	MMA
9/11	Thurs.	MBOIA September Membership Meeting & Training	Portland - Portland Elks Lodge #188	MBOIA
9/17	Wed.	MFCA Membership Meeting	Brunswick - Greenwood Emergency Vehicles	MFCA
9/17-19	Wed Fri.	MeWEA Fall Convention	Newry - Sunday River - Grand Summit Hotel	MEWEA
9/24	Wed.	MMTCTA Payroll Procedures	Augusta - MMA	MMTCTA
9/26	Fri.	MWDA GA Basics Workshop	Augusta - MMA	MWDA
9/29	Mon.	Verbal Judo for the Contact Professional - 1 DAY	Portland - Portland Elks Lodge #188	MMA

Registration for trainings is typically open 8 weeks prior to the event date, please check the website for availability – www.memun.org/Training



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