

Maine Town & City

The magazine of the Maine Municipal Association

JULY 2019

Two Cities On the Move

Saco, Biddeford see
fast demographic,
economic progress



ALSO IN THIS ISSUE
Fiberright plant opens
Route 1 series: Bucksport
MMA's 2019 Convention program



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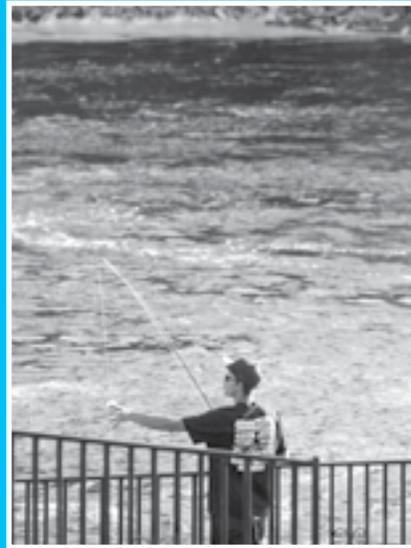
Maine Town & City

July 2019 | Volume 81 | Issue 7

The Magazine of the Maine Municipal Association

FEATURED STORY | 11

Beautiful Day



The neighboring cities of Biddeford and Saco are emerging from Portland's big shadow, with rapid demographic and economic progress.

Route 1 series: This month's installment takes readers to Bucksport, where a major aquaculture project helps an economic rebound. [Page 14](#)

College costs weigh heavily on young staffers. If cities and towns hope to recruit people under 40, addressing college debt is a major puzzle piece. [Page 17](#)

ABOUT THE COVER: The Run of the Mill, a restaurant and brewery in Saco, is featured in this summer scene shot by Jill Brady.

MMA's 2019 Convention

Building strong towns, taking wise leadership risks and investing to enhance economic development. All are themes at this year's big event. [Page 29](#)

Up and Running

A closely watched development in solid waste is happening in Hampden, where Coastal Resources' innovative facility just opened. [Page 7](#)

Town Meeting Analysis

Late-season town meetings saw new faces win election to municipal office and big interest in environmental matters. [Page 19](#)

Risk Manager	21
People	38
News	39
Bulletin Board	40
Legal Notes	41

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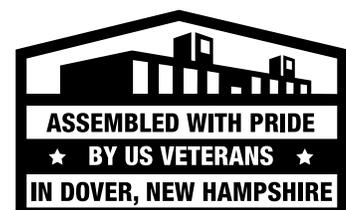
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A MESSAGE FROM MMA

BY ERIC CONRAD / EDITOR

2019 convention speaker says, “Let’s talk progress”

“We challenge conventional norms, and we do it simply, using visuals.”

With that, Joe Minicozzi, an architect, community planner, numbers-cruncher and downtown advocate, launched into an informal preview of a presentation that shows how communities can be smart about where they invest their infrastructure and planning dollars.

He used real case studies and 3-D visuals to question the orthodoxy of community development over the past 50-75 years, including:

- On a return-per-acre basis, it’s hard to beat investing in and improving your core downtown area. Excited about paving 30 acres on the outskirts of town for a retail shopping plaza – especially after the developer offers to pay one-time fees up front? The math of doing that versus enhancing Main Street may surprise you.
- Speaking of development fees, think twice before building roads and extending water and sewer lines to previously under-developed areas. But isn’t that progress? Perhaps, but those roads and lines can become municipal responsibilities and liabilities. Tax revenues gained from the new development may not cover the ongoing infrastructure costs that make the development possible.



Joe Minicozzi

- Deeply embedded biases about geography can lead to questionable political decisions. Minicozzi offered a statistic from former New York Gov. Mario Cuomo, who once faced citizens in rural New York complaining about propping up New York City. In truth, the Big Apple’s gross domestic product is *five times greater* than the rest of the state’s total GDP – more than the State of Florida’s GDP and the country of Sweden’s, too.

Minicozzi, principal at a non-profit called Urban 3 in Asheville, N.C., will be a featured speaker at the Maine Municipal Association’s 2019 Convention, to be held on Oct. 2-3 at the Cross Insurance Center in Bangor. His presentation will follow lunch on Thursday, Oct. 3. (See our 2019 convention program on Page 29.)

Minicozzi uses big-screen visuals and basic math to help local officials make decisions that lead to long-term economic sustainability. In turn, municipal leaders can employ these same tools to educate citizens and the local business community.

“In defense of citizens, government information is often presented to them in a manner that is not easy to understand,” he said.

He promises his data and visuals will be relevant from cities the size of Bangor, Lewiston and Portland to small town Maine. Even if your town was founded in 1770 where two horse paths once crossed, there is a core area to work with, he said. And that’s probably a good place to start.

“Every town in Maine has a village,” Minicozzi said. “It’s the New England village concept.” ■



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Coastal Resources solid waste plant in Hampden up and running

\$70 million facility is billed as the 'first of its kind' in U.S. That's true, but facility directors and state regulators say its technologies have been proven before.

By Glenn Adams

Like a grapple in an arcade game, a life-size claw grabs a fistful of mixed trash from a heap below. At the side is a maze of steel ladders, conveyor belts tilted at various angles, a web of supporting struts and gaping storage bins. The scene's been described as a game of Mousetrap designed by Stephen King.

But Fiberight's new Coastal Resources recycling plant, situated in a massive gray building covering three acres, is no game. One-of-its-kind in the country, it stands as model for a greener future in Maine, gobbling up trash by the ton as it transforms Mainers' household throwaways into useful products that can be sold.

Coastal Resources of Maine's new facility in Hampden will process municipal solid waste for 115 communities in eastern, central and northern Maine using Fiberight technology to convert waste into value-added products and bio fuels.

Considering Maine's overall recycling rate of just under 37 percent, the 80 percent recovery rate at Coastal Resources represents a startling contrast. It also represents an entirely new way of thinking about solid waste by redefining it as a resource, says Fiberight.

"To be converting your garbage into recyclables and other marketable products is just fantastic," said Karen Fussell, board president of the Municipal Review Committee, whose work resulted in the innovative project opening in Maine. "We couldn't be more excited about it."

The \$70 million Fiberight plant is designed to process up to 180,000

Glenn Adams is a freelance writer from Augusta and regulator contributor to Maine Town & City, adamsgjr1@gmail.com.

RECYCLING: THE BIG PICTURE

Maine produced 1.17 million tons of municipal solid waste – a little less than a ton per person – in 2017, according to a state Department of Environmental Protection report to the Legislature. The number includes ash left from incineration, waste that's composted or anaerobically digested, but not construction and demolition debris.

The U.S. recycling rate in 2017 was 34.5%, according to waste-reduction tech company Rubicon. Maine's rate is a little better at 36.79%, says the state Department of Environmental Protection.

America's leading city for recycling is San Francisco, which boasts an 80% landfill diversion rate. Indianapolis is the largest city in the country without universal curbside recycling, and winds up near at the bottom of the heap with its 7% recycling rate, says the Indianapolis Star. Only New Orleans and Detroit have lower rates, the newspaper says.

Plastic recycling is especially hard hit by China's curtailment of accepting imported waste, says Waste 360. America's 9.1% plastic recycling rate of 2015 was expected to drop to 4.4% in 2018, and to 2.9% in 2019 if other Asian countries follow suit with a cutoff, the magazine says.

tons of municipal solid waste per year from members of the MRC, which was formed in 1991 to help Maine communities restructure disposal contracts. Coastal Resources' project will also accept waste from non-MRC communities if those arrangements are made, said Shelby Wright, director of community services for Fiberight/Coastal Resources.

MRC communities produce about nine percent of the municipal solid waste produced in Maine, according to the state Department of Environmental Protection.

In proven technologies that have yet to be coordinated under a single roof, Fiberight's process allows the plant to recover much of the waste that until 2018 would have gone to an incinerator.

How it will work

The Coastal Resources facility pulls

out recyclables from regular trash and then upcycles the rest into marketable products, giving towns that have never been able to recycle or improve their recycling rate a chance to do so, said the MRC's Fussell, who is also finance director for the City of Brewer. The Coastal Resources plant can also accept single-stream (or "no sort") recyclables for a discounted tip fee from communities that have those programs.

What's more, Coastal Resources will continue to search out ways to convert even more throwaway material into useful products. "To me, it's like recycling on steroids," said Fussell.

The Hampden plant accepted its first loads of municipal trash and recyclables from 10 towns in late April. It was accepting waste on an on-call basis while bugs were being worked out of the process and was expected to begin accepting waste from all 115 MRC members by the end of June, said

Fussell.

MRC has a 15-year master contract with Coastal Resources to process municipal solid waste from its 115 member communities. Member communities must contract separately with Coastal to process single-stream recyclables. MRC owns the land on which the pioneering recycling facility is located.

For three decades, the MRC facilitated waste contracts for 187 Maine towns and cities with Penobscot Energy Recovery Company in Orrington. The contract with PERC ended in 2018. Fussell said the MRC believes a relationship with PERC is not sustainable in its current form.

In 2013, the MRC started looking for a technology to process municipal solid waste other than burning it. It advertised for proposals from companies in and out of the United States and ultimately settled on Fiberright.

Based in Maryland and the United Kingdom, Fiberright has developed a system that not only seeks to squeeze value out of every ounce of trash, but also presents a recycling opportunity for towns that have dropped their recycling programs amid ongoing instability and unpredictability in the recycling



Shelby Wright, community services director for Fiberright/Coastal Resources of Maine, shows fiber made from waste paper.

(Photo by Glenn Adams)

world.

Its system “deconstructs the waste stream, segregates the components, recovers material, and processes it to recover even more material creating

value-added products such as bio gas and bio fuel from waste that would normally be discarded,” the company says.

(Coastal Resources will not accept out-of-state waste or construction and demolition debris. Items such as tires, mattresses and couches are also not accepted.)

Overall, “we’re pulling more waste out of trash than from single stream,” said Wright, the community services director. By doing so, homeowners who produce their share of waste no longer have to stew over whether this pizza box or that plastic container is fit for recycling.

“For even the best recycler, recycling is hard,” said Wright. “Coastal Resources takes the guesswork out of it.”

Disposable diapers

Consider the used diaper: If your trash goes to Coastal Resources, you won’t have to think twice before tossing disposable nappies into the mix.

Plastic films in the diaper are separated in the pulping process and recovered for film briquettes. The absorbent material is used for pulp production. Finally, the organic material is utilized in the anaerobic digestion process, in

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Tanks used in recycling process outside of Fiberight/Coastal Resources plant in Hampden. (Photo by Glenn Adams)

which microorganisms break down biodegradable material in the absence of oxygen. In the end, three value-added products are produced, Wright explained.

Waste is delivered to the Coastal Resources using current local waste-collection systems. Once the trucks are weighed and unloaded, waste is debagged, placed on a conveyor and separated according to size. Dry textiles are recovered before the pulping process begins. At the “wet end,” a pulper breaks down food waste, pulls out contaminants, and converts organics to biogas, which will be piped directly into the Bangor Natural Gas

pipeline.

Glass is turned into aggregate for public works projects, such as what’s used at landfills and construction projects. Items like clean plastic shampoo and clothing detergent bottles are baled and turned into compressed plastic briquettes, for use in films and plastic bags.

The process also turns out fiber, which can be used as solid fuel or molded paper products. Cellulose pulp can be used to make envelopes, office paper, mixed paper and other fibrous materials. (Cellulose accounts for one-fifth of the waste stream.)

Clean cardboard, steel and alumi-

num are baled for resale.

Fiberight has agreements with plastics and oil companies, and with local scrap merchants, to buy the cellulose pulp and plastics from the plant, Fiberight CEO Craig Stuart-Paul told Waste 360 magazine. There is also an agreement to buy natural gas generated at Coastal Resources.

Coastal Resources, a customer of Emera Maine, pulls power off the grid to run the plant and will run its boilers off the biogas that it produces internally.

Waste from schools, hospitals and commercial organizations not sponsored by a municipality for waste management is not being accepted at Coastal Resources until additional reviews are conducted by the Maine Department of Environmental Protection, said Victoria Eleftheriou of DEP’s Bureau of Remediation and Waste Management.

But overall, the DEP has given its blessing to the project. While the separate components of the plant use existing technology, they haven’t yet been coordinated in a single setting.

“The technology is tried and true,” said Eleftheriou. “It just hasn’t been put together under one roof.”

Fiberight calls its Hampden operation “the first of its kind in the nation.” The company’s website lists other projects including a demonstration facility in Lawrenceville, Va., and a pilot plant in Southampton, England, which houses a small-scale operation.

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“The plant itself is capable of pulling out those things that have no market,” said Fussell. That includes those ubiquitous single-use grocery store bags (soon to be banned in Maine) that often end up blowing on streets and into waterways, and plastic films that cover water-bottle cases and paper towel packs.

Site visit

During a recent visit to Fiberight, Wright showed what happens to those plastic menaces: They’re turned into pellets that can be resold or briquettes that can be used as fuel. Wright also spilled out a handful of fiber ground from paper, now ready to be sold and processed into things like molded paper trays.

Coastal’s residuals – waste that cannot be processed – will go to Crossroads Norridgewock, under an agreement due to end on March 31, 2028, and which may be extended.

Citing U.S. Environmental Protection Agency figures, Coastal Resources says Maine recycles 36% of its waste. That means valuable materials such as food, plastics and paper “are remaining in household waste destined to be lost forever,” says Coastal Resources.

With only about a third of the population committed to recycling, Fiberight is set up to process waste from the remaining two-thirds, said Wright. What’s more, it sets into place a process that provides a solution with little or no change to consumer behavior.

“We’re being forced as a country to deal with the unseen waste problem we’ve been generating,” said Wright.

Bangor projects savings

Bangor is among the communities that are signed on to use the Coastal Resources facility. City Councilor Joe Baldacci said the city will save \$1 million over the life of the contract. It is “environmentally sound,” Baldacci said.

“This is an important step forward. As one of the councilors who voted to leave PERC and go with Fiberight it was an informed risk,” Baldacci wrote on Fiberight’s Facebook page. “I’m hoping Fiberight succeeds.”

Having a facility that can handle recyclables locally will save many communities’ trucking expense, not to mention the environmental impact, associated with sending them well out-

side of the region to be processed, said Fussell.

Until now, single-stream recyclables from northern and central Maine had to be transported to ecomaine in Westbrook or Casella’s materials recovery facility in Lewiston for processing.

“At Coastal Resources everything is integrated,” Fussell said.

The Finance Authority of Maine, which helped with the Fiberight plant’s financing, estimates communities using the Coastal Resources will save \$24 million over the first 15 years, according to the Waste Dive e-publication.

Fiberight’s Hampden plant was first scheduled to open in April 2018, but that was delayed by winter weather and litigation. Also, a lack of clarity over what waste would be accepted had to be sorted out.

In the meantime, a downturn in the recyclables market depressed prices paid for recyclable waste and prompted many communities to abandon their trash recycling programs. In May, Auburn Mayor Jason Levesque urged the city to look into dropping its recycling. Brunswick also considered it, but council turned the idea down.

Maine communities representing 180,000 people – 14% of the state’s population – have no recycling or have cut back their programs, according to the Natural Resources Council of Maine.

Despite the gloom over low prices, new optimism is brewing about the fu-

ture demand for recycled products. As waste piles grow, American businesses including paper mills and plastic processors are retooling plants to accept the stuff that might have been shipped off to China.

The nonprofit Recycling Partnership, which leverages corporate funding to help states and communities to recycle, told The Associated Press in May that about \$1 billion in investments on American paper processing plants had been announced during the previous six months.

The Northeast Recycling Council says 15 American and two Mexican paper companies have announced plans to expand their capacity to process recycled paper.

The trend has been felt in Maine, where a subsidiary of Hong Kong-based Nine Dragons Paper has invested in paper plants in Old Town and Rumford. ND Paper planned to reopen the paper mill it purchased in Old Town, and last year bought and invested in a mill in Rumford.

ND Paper’s Brian Boland said that the restrictions on waste paper by the Chinese enabled the company to secure a long-term source of fiber for its mills. Recycled plastics and scrap metal processing have also seen a boost in some states.

China’s import restrictions also give Fiberight an opportunity to showcase a concept that elicits skepticism from many in the industry, Waste Dive says. ■



Saco, Biddeford: Neighboring cities undergo positive change

As older sections redevelop and young people move in, the area feels more vibrant than it has in decades. With growth, housing costs and traffic are challenges to solve.

By Janine Pineo

Answer: Biddeford and Saco.
Question: What two Maine cities are bucking state demographic trends and building a new, diversified economic base?

If you're surprised, you are in good company. City officials in both municipalities are more than a little wowed by the changing tide.

"There's opportunity here," said Biddeford Mayor Alan Casavant.

The fortunes of Saco and Biddeford have been linked from the first settlement spanning the Saco River to the advent of massive, river-powered brick mills, including the largest cotton mill ever constructed in the U.S. The cities were a manufacturing hub in the industrial age, employing thousands of people in their heyday.

The remnants of that past still dominate the landscape, but something remarkable is happening in the York County communities: New, younger residents are moving to the two cities, bringing new businesses of their own.

Meanwhile, business owners are eyeing the cities as prime locations to set up shop, from refurbished quarters to all-new construction. Saco alone had more than 50 businesses work with its Planning and Development Department within the last year, pursuing expansions, improvements and relocations. The city welcomed seven new businesses, including a lobster-processing facility for Ready Seafood that will be the largest of its kind in the state.

In Biddeford, where just a decade ago the last mill closed on the heels of the 2008 financial crisis, the down-



Dog park hosts community event.
(Photo by Jill Brady)

town is undergoing an about-face, with adults in their 20s and 30s seeking not only to live in the city but to set up shop in the affordable spaces. It is gaining a reputation as a "foodie" town and is even being called Little Brooklyn because of the number of artists flocking to take advantage of unique studio rentals at attractive rates.

To top that off, Biddeford has added about 1,000 residents over the last three or four years and has the youngest median age in the state, clocking in at 35. Whereas, the state median is now at 44.9, the highest in the country. In Biddeford's downtown, the median age dips even lower, to 29.

Veteran City Manager Jim Bennett

says the downtown has "a sense of life" fueled by these new residents. "I've never seen such a dramatic change so quickly," Bennett said.

Location, location...

Saco and Biddeford are sandwiched in the state's busiest coastal tourist corridor between Kennebunkport and Old Orchard Beach. Both have ocean frontage, conservation areas, farmland, business parks, historic districts and giant mills with floor after floor of space. Biddeford Pool has some of the highest priced real estate in Maine, while Saco has a commercial port at Camp Ellis and a public beach. There's a university in Biddeford and a private boarding high school in Saco.

Both are a stone's throw from Portland and have service on the Amtrak Downeaster at Saco's Transportation Center on Saco Island, also known as Factory Island.

People seemed to have forgotten or just didn't know what these mill towns have, Casavant said. "We've been off the grid for so long," he said.

The changes have taken shape differently in each city, but officials have one common focus: taking care of residents.

Saco has a vision and it's a high quality life for residents, said Mayor Marston Lovell. "Central to this vision is a sustainable economy," he said. "It requires that we have a diverse population."

That was the preface to the mayor describing a recent seven-hour council meeting to discuss a mill rate increase of 11 cents. Lovell said the concern was the fear that at some point an increase would cut off part of the population.

Saco needs younger and older

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

folks to thrive, Lovell said, and the goal is to be proactive, balancing the needs of all its residents while building a varied economic base.

Getting younger

Like Biddeford, Saco has seen an increase in younger people moving to the city, movement that's been distributed across all of the city's seven wards. "Our ages have fallen across the city," Lovell said. "It's really been a diverse shift."

Even the City Council reflects the change, with four of its seven councilors under the age of 40.

Lovell pointed to a myriad of reasons why Saco is undergoing such a swing in demographics and economics. Saco's draws include education, recreation and an array of business opportunities. "We pack a lot into our 42 square miles," Lovell said.

He cited a number of features that make Saco attractive. Saco Main Street is focused on the city's downtown, which has added new businesses. "We're seeing an interesting mix-up here," he said, noting the several health care businesses that have moved in, including a prosthetics manufacturer. The city has had an increase in medical businesses, including a dental office, opticians and an urgent-care facility.

Lovell pointed to Thornton Academy as a powerful magnet for bringing young families with school-age children. "That seems to be more what our draw is," he said.

The city is also an AARP Age-Friendly Community, as is Biddeford, which means they work toward keeping the community accessible to all ages with housing and transportation, access to services and community participation.

The city has taken the step to brand itself as a way to present all Saco has to offer with a new logo and tagline: "Friendly by Nature."

Emily Roy, the city's marketing and communications director, said the goal was to identify the city's strengths.

"We weren't strategically aligned around anything," she said. The branding process, which was announced in late 2017, generated about 500 suggested taglines, but the winning one from Bette Brunswick, chairwoman of the Economic Development Commission, spoke to what Saco wants to



emphasize. Roy said the "friendly" means it's age-friendly, dog-friendly, recreation-friendly, business-friendly, conservation-friendly and more.

Social media strategy

If Roy has anything to say about it, Saco also will be municipal-friendly with the work she is doing to streamline the flow of information from the city to its residents. The website redesign incorporated the new logo along with restructuring. A plethora of information is on the site as well as the ability for residents to pay city bills online, including property taxes.

"We do a lot on social media," she said, listing accounts on YouTube, Twitter, Facebook, LinkedIn and Instagram. "We need to make it easier for people to participate remotely."

Educating folks is another goal, with Roy citing her work with the finance director to explain the budget process and its five phases to let people know when to participate and when to provide feedback. There's even a page to explain the mill rate and how it is broken down on the "Municipal Budgets Explained" webpage.

Also becoming "more user-friendly" is the city's zoning ordinance,

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which is being revised this year, according to Saco's Planning and Development Director Denise Clavette.

The onslaught of new businesses spurred a look at the ordinance, which had 60 contract zones, she said, which is more than Portland. "It'll end up reducing the number of zones," she said.

The past year primarily has been people looking to locate in the area. "What we're experiencing is new growth. We're seeing the upsurge on Route 1," Clavette said. "Route 1 had a lot of potential and it's just being realized."

The city's Mill Brook Business Park sold four lots in the last year and has only two lots left, Clavette said. Saco is extending the sewer farther up Route 1, and the city is looking to purchase two parcels to establish a new business park as well, she said. The department is even working on getting a federal grant to build a new road to support all the growth.

Mayor Lovell acknowledged that

traffic is an issue. "Saco is the busiest commuter exit on the turnpike," he said. The development on the west side of the city is adding to the situation. "It's really out of our hands," he said. "It's a DOT project."

Youthful Biddeford

In the not-too-distant past, Maine Energy Recovery Co. had a trash incinerator in Biddeford's downtown. Trash talk about the city? "That was literal," said Mayor Casavant.

City officials saw the incinerator as a deterrent to growth in the downtown and mill district. The last textile mill had closed in 2009 and the downturn in the global economy was still hanging over the state when discussions began in early 2012 for the city to purchase the incinerator to close it and tear it down.

It meant taking a major taxpayer off the rolls, City Manager Bennett said. "The community made the decision and it was not an easy decision," he said.

Casavant said the effect of the removal was not only physical but psychological. "Lack of odor and lack of presence" led to a "sense of optimism and pride that was phenomenal," he said.

That first step, Bennett said, set in motion the community's intent to make substantial changes.

"When I arrived on the scene, we began to make some very deliberate investments," he said, "a lot of hard work and very deliberate policy." Bennett, who was hired in 2015, pointed to some of the early changes: sidewalks and infrastructure along with an initial planting of \$40,000 of flowers, with the annual replacement plants now \$10,000 to \$12,000.

A private developer was willing to take a risk in the mill district, he said, which has a total building area of more than 1.535 million square feet. Occupied space this year is more than 758,000 square feet and is expected to reach 1.057 million square feet in 2021.

New businesses in the downtown are as diverse as a Brooklyn clothing designer, a high-end climbing equipment manufacturer and a number of breweries and distilleries. Coupled with housing that was less expensive than elsewhere, these new prospects have powered the influx of young

people to the city.

To get a sense of the shift since the incinerator was removed, the number of jobs in the mill district has grown from 95 to 530, according to a Portland Press Herald story in March.

Housing prices rise

The rapid shift holds serious consequences, specifically with housing and rentals as rates rise with demand. Rent prices are up "very dramatically," Bennett said, citing a 55 to 60 percent increase in rents in the last three years. The city saw its highest eviction rate in 2016 and 2017, he said, with people being priced out.

"It creates homelessness that we've never seen before," Casavant said.

"There's no magic bullet, obviously," Bennett said. The city is working with the Maine State Housing Authority and is shifting its grant money toward keeping affordable housing available. "We're running pretty hard trying to catch up," he said.

To that end, the council recently approved a project that will hold 10 percent of the units as workforce housing. Casavant said the Riverdam project was going to be all market rate rentals but the city worked out a TIF agreement to guarantee that 10 percent figure.

Another contentious issue is parking. The plan for a parking garage on the former trash incinerator lot is linked to the Riverdam project and development of a multiuse building, neither of which have natural parking, Casavant said. The garage would create more than 500 spaces.

"People have to see the big picture," he said. "Everything is connected."

Casavant, who has served 18 years on the council and is in his eighth year as mayor, sees Biddeford's past: "Biddeford has a history of being old.

"You don't want to knock down every building," the mayor said. But he is also an enthusiastic believer in its future: "We have to find ways to engage the younger people."

As the interview neared its end, Casavant made a point to add that the "very scenic" Biddeford Riverwalk was going to expand to the falls area and connect to the Eastern Trail in Saco.

"When I was a kid, you could never see it," he said.

The falls, that is. ■

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Spirit of unity propels Bucksport following 2014 mill closure

‘What can we do? How can we help?’ were the kinds of questions citizens and leaders posed five years ago. Today, businesses are moving in, downtown is nearly full.

By Susan Cover

Bucksport Mayor Peter Stewart was coaching football practice in the fall of 2014 when an assistant coach got a call about the Verso Paper mill.

Stewart had worked summers at the mill while home from college and had recently taken out papers to run for a position on the select board. When he heard the mill was closing, his first thought was: “What now?”

Five years later, he and others in the U.S. Route 1 town of just under 5,000 are optimistic that a combination of factors – money set aside over many years by town leaders, a clear planning document with citizen input and a can-do attitude – means that new businesses will open at the old mill site and in other parts of town as well.

“To the folks that came before us, they did a great job creating a nest egg to lessen the blow,” he said.

After 84 years in operation, the Verso mill west of the downtown closed for good in December 2014, eliminating 570 jobs and about 40% of the town’s tax base. But for about 20 years prior to the closure, town leaders had squirreled away money each year to prepare for the possibility of the mill’s closure. By the time the mill closed, there was \$8 million in reserve, said Town Manager Susan Lessard.

Town leaders used \$2 million from



Peter Stewart

the fund and raised the tax rate in the first year after the mill closed, then were able to get increased school funding from the state to help offset the burden on the town, she said. Other careful budgeting meant the town was able to maintain services and eventually lower the rate back to \$16.30 per \$1,000 valuation.

Lessard, who was hired in August 2015, and

Richard Rotella, the community and economic development director hired in November of that year, have worked closely with the mill’s new owner, American Iron and Metal Development, and several community groups to keep moving the town forward.

“Our story is long-term planning on the part of this community – before either of us ever got here – made it possible financially for the town to make the choices that it made in terms of not eliminating services,” Lessard said.

In addition to a solid financial plan, town leaders also talked about whether they would want another single, large employer to fill the mill site or whether it would be better to have several smaller businesses providing jobs. Ultimately, they didn’t want to be at the mercy of one industry.

“We weren’t going to put our eggs in the same basket again,” Rotella said. “All the while thinking green, environmentally friendly, sustainable businesses moving forward, but still keeping that industrial feel and valuation.”

ABOUT THIS SERIES

Through December, Maine Town & City writer Susan Cover will take us on a Maine journey along U.S. Route 1, a series that started last March. We will highlight communities and municipally related issues situated along Route 1 each month, ending with an article from York County. The series is intended to show the “connectedness” of municipal government in Maine, how current events and examples of public service often transcend precise locations. We hope you enjoy the project.

Eric Conrad, Editor

Grants and plans

Unlike in other towns where mills have closed, the Bucksport Verso mill did not re-open for periods of time and then shutter again. When it closed, it closed for good and was sold in early 2015 to American Iron and Metal, which began tearing down the massive mill buildings.

Lessard said the town doesn’t own the mill site, but the mill’s closure prompted community activists to figure out “how to move Bucksport forward,” she said.

One effort was the creation of Main Street Bucksport, a group that formed shortly after the mill closed. Brook Minner, executive director of the group, said even when the mill was open there were a lot of empty storefronts in the downtown.

“It’s kind of counterintuitive, but

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even in the last couple years of the mill being in operation our downtown was kind of desolate,” she said.

Since then, several groups in town worked together with Bucksport officials to draw new businesses to the downtown, including several that located from other Maine cities and towns. Minner said 14 new businesses have opened in the downtown in the last three or four years, with all but one still in business.

As they work to build on their success, she said maintaining a mix of industry, small businesses and chain retail stores will be key.

From the town’s perspective, the loss of the mill meant focusing on what it could control, Lessard said. Officials added eight lots to a town-owned business park, two of which “now have fairly major businesses,” she said.

“And Rich has managed to fill Main Street,” Lessard said. “I don’t know the last time there was no empty storefronts on Main Street in Bucksport, but there are none.”

Moving forward

It was also important to maintain an aggressive approach immediately after the mill closure by doing things such as adding a solar array and changing to LED street lights to send a signal that the quality of life in Bucksport would remain strong despite the mill’s closure, she said.

Lessard said 279 of the mill workers who lost their jobs lived in Bucksport and she didn’t want to make cuts in town services that would add to an already difficult situation.

“Taking away municipal services, or recreation, or not maintaining our walkway, would really have been (adding) insult to injury for that kind of loss,” she said.

Another part of moving forward was asking residents what they would like to see, with Bucksport participating in a Community Heart & Soul program funded by the Orton Family Foundation. Lessard described it as an effort focused on the positive things in town and, when coupled with an updated town comprehensive plan, it gave town officials a clear picture of what its residents wanted.

Then the Eastern Maine Development Corporation gave the town a \$200,000 planning grant which helped



Richard Rotella, Bucksport’s community and economic development director, talks about efforts to revitalize the former Verso mill site. (Submitted photo)

lay the groundwork for what could happen at the mill site and in the downtown, Lessard said.

That planning document – Bucksport AIM Development Action Plan for Tomorrow or ADAPT – was recently named the 2019 Project of the Year by the Maine Association of Planners. Rotella said he and Lessard worked with the mill site owners, the development corporation, state and federal environmental agencies and local residents to come up with a new direction.

“It’s always been a great town, but it’s always lived in the shadows of the mill,” he said.

After a series of meetings, a set of ideas emerged, including investigating opportunities with aquaculture, a marine campus and a port. All three are in various stages of becoming reality.

“There has been an extensive amount of planning that was very in-depth with the people of the community,” Lessard said. “We don’t have to wonder when we’re looking at taking these steps about whether it’s things the community will accept or embrace.”

New tenants

In late May, Whole Oceans, which plans to build a \$250 million land-based salmon farm on a large portion of the former Verso site, announced that it had formally closed on the property purchase. While there are

still state permits pending and the construction process yet to come, town leaders envision that the salmon farm will serve as an anchor tenant on the property, Rotella said.

Whole Oceans plans to occupy 120 acres of the 200-acre site, building a recirculating aquaculture system that will make use of water from the Penobscot River and fresh water to raise salmon to harvest size in large, land-based tanks, according to the company’s website. Treated wastewater will then be released back into the river, with the factory using nearby fresh water and high-capacity electricity once used to power the mill, Rotella said.

The project is one of three proposed land-based salmon farms in Maine, with another under consideration in Belfast and the recent announcement that a British company would like to open one in Millinocket, according to the Bangor Daily News.

Bucksport is also working with the Castine-based Maine Maritime Academy, which plans to locate a training facility in a building on the former paper mill site. When it’s fully operational in five years, an estimated 2,400 Maine Maritime students will be required to complete training in Bucksport, creating a need for other businesses to offer services, Lessard said.

In addition, there is a power generating facility at the mill site with a

10-year-contract, another stabilizing factor, she said.

For Rotella, the opportunity to diversify the businesses on the 200-acre industrial site is an important part of the town's future. Before the paper mill closed, a large tannery provided the jobs, again leaving the town in a vulnerable position. But now, a variety of medium-sized companies and entities at the site, along with a strong downtown and separate industrial park, will give Bucksport the ability to continue to succeed if one of them fails, he said.

Strong community

There are so many groups working to rebuild the town that it became necessary to hold a quarterly meeting so they can all share what they are working on and avoid duplicating efforts, Lessard said.

Minner, the Main Street director, said that collaboration has been important as the town gets ready to welcome Whole Oceans and the Maine Maritime Academy to town.

"People are really collaborating, talking and supporting other business-

es," she said. "That has always been important in Bucksport."

For Mayor Stewart, the work by community volunteers, the town's tax rate and its proximity to other areas – he described it as "20 miles to everywhere" – are a big part of the town's current success.

"There are people that give time and truly believe in the town and what we have to offer," he said.

Lessard said she actively works to keep the town on the front page of local newspapers, believing that highlighting what's going on will help to

keep the ball rolling on recent success. She too believes there's something just a little different about the can-do attitude of Bucksport residents.

"Usually there's a bad event, the mill closed, it's a tragedy, everybody's around to say, 'Oh that's terrible,' but eventually everybody goes home," Lessard said. "All the politicians go back to where they came from and life resumes. What made Bucksport really amazing is that they retained a very strong sense of community and groups emerged to say, 'What can we do? How can we help?'" ■

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Financial education benefits can have far-reaching results

Helping employees with the cost of higher education pays. Municipal employers, in a time when recruiting for open positions is hard, should consider several innovative options.

**By Martha Johnston, Director of Education,
Finance Authority of Maine**

First, the good news: Fortunately, families can take steps to prepare for affording higher education, and even improve their situations if they have existing student loan debt. Unfortunately, many families wait until the college bill arrives to face the cost and determine how they will pay it, or even worse – face daunting debt they incurred without being fully informed.

Even more good news: Moving on to higher education creates a tangible value. Those with a college degree earn about \$1 million more over their lifetimes than their counterparts with high school diplomas. They are less likely to be unemployed and enjoy better health, as well.

Fifty-six percent of Maine students who graduated with a bachelor's degree in 2017 had student loan debt. The average amount of debt for those Maine college graduates in 2017 was \$31,364, which is about a \$350-\$400 monthly payment for 10-15 years depending on the rate.

For most, this is not an unreasonable amount of debt given the return on investment over a lifetime, and repayment is manageable. Often the sensational stories are told about the much smaller percentage of students who incur much higher than average debt than their career choice can support. Even more concerning are students who don't complete higher education and experience that positive return on investment, but instead default on their student loans. Regardless of the status of a person's student loan debt, it can create challenges and discomfort.

For those who have more student debt than average, the debt often limits the graduates' job choices and their ability to launch new businesses,

buy homes, start families and save for retirement.

According to a 2018 survey by Pricewaterhouse Coopers (PwC) on employee financial wellness, employees with student loans report that the loans have a moderate or significant impact on their ability to meet their other financial goals – and many state it is a distraction at work and their productivity has been impacted by financial worries. Eighteen percent of survey respondents stated that they felt financial worries affected their productivity at work; 11 percent reported their attendance at work was impacted.

Employers create benefits

Two separate studies found that employees want student loan repayment as an employee benefit. One study showed student loan repayment as the third-highest selection of desired benefits – exceeding tuition reimbursement and 401(k) matches. The 2018 PwC survey discovered that 16 percent of respondents ranked student loan repayment as a benefit they wished their employer would add.

Managing student loan debt is important not only for individuals but also for the state's workforce. Employees are often learning about and making decisions about health and retirement plans at work because these benefits are often connected to the employers. And although higher education would seem like an employee's responsibility, it turns out that employers can reap benefits too. From higher educated employees to making a stronger connection with employees through financial support for their families' higher education, both parties can win.

A new and growing trend here in

Maine is employers sharing information about and expanding their higher education benefits. Some employers support employees through higher education reimbursement or training at various levels. But employers have also realized the benefit of providing access to information and resources at work for higher education planning.

How employers can help

FAME encounters many people who simply don't know where to begin the process of figuring out how to pay for college, or don't feel like they have time or even money to tackle saving, paying or borrowing for higher education. Where should they turn? With 43 percent of employees planning to fund education expenses for children or grandchildren, and with 25 percent planning to fund for themselves or their partner, it behooves the individual to be informed of their options for funding this investment.

Employers can offer direct tuition assistance in the form of education funding:

- Scholarships for employees or employees' children and partners.
- Student loan repayment assistance.
- Contributions to a Section 529 college savings plan for employees or children

Employers can also offer low to no-cost benefits such as:

- Financial wellness programs.
- Payroll deductions for 529 contributions.
- Flexible schedules to allow for higher education pursuit.
- Employers can share free FAME resources and information with their employees
- Virtual presentations and resourc-

es are available at FAMEmaine.com.

- Quick tips and steps for preparing for higher education can be found at FAME-Education.com.

- Free financial education online at fame.enrich.org.

- FAME Education staff can come to the employers' locations and provide presentations and guidance on topics such as:

- Saving for College – Maine's 529 Plan
- Navigating the Financial Aid Process
- Money Management and Financial Education
- Managing Student Loan Repayment

One-stop shop

The Finance Authority of Maine (FAME) provides financial resources that create business and higher education opportunities. FAME is also well known and respected as Maine's one-stop shop for higher education financing – from general financial education to help with financial aid, college savings, college planning and informed borrowing.

Saving

Saving for higher education is the most effective way to replace the need to borrow. It is never too early or too late to start saving. People are often misinformed that saving will hurt their financial aid – this is not true. Saving always puts a family in a better position to afford higher education. Money saved is money that doesn't need to be borrowed and repaid with interest. A Section 529 Plan is a tax-advantaged investment plan to help students and families prepare for qualified education expenses. To learn more about NextGen 529™, Maine's Section 529 Plan, visit NextGenforME.com.

Financial aid

Facts: Family income is the primary factor in determining aid. Certain assets, including primary residence and retirement accounts, are excluded in the federal financial aid formula and for assets that are counted, a portion is protected and remaining assets are assessed at a much lower rate than income. Families should apply for financial aid by completing the Free Application for Federal Student Aid (FAFSA) which becomes available on

Oct. 1 of each year. We recommend filing as early as possible to maximize grants and institutional aid eligibility. FAME also provides a host of outreach and online resources aimed at helping families optimize their financial aid opportunities – including a robust Maine-based scholarship search tool.

A school that matches budget

Another logical way to approach affordability when it comes to higher education is by selecting a school that is not only a good fit academically, but also a good fit financially. The analogy that FAME's College Access and Outreach team often uses is you wouldn't buy a mansion if your budget didn't allow for it. The same goes for higher education. The reality is that there are multiple pathways that will allow students to reach their long-term goals. Borrowing more than necessary, whether as a result of school choice or overlooking other options like scholarships and tuition payment plans, can derail those long-term goals. It is critical that students and families consider their ability to repay loans based on future earning potential before borrowing any money so they can make an informed decision regarding school selection.

Student loan repayment

FAME provides Maine's student loan resource in one convenient place: TheLoanforME.com. TheLoanforME.com is the trusted place for Maine people to learn what they need to know about refinancing or consolidating student debt and where people seeking student loans can find a good fit to meet their financing needs. This FAME web resource provides a wealth of information and tools that helps families be informed, lowers the amount they have to borrow, and links them to local trusted lenders.

Families should also be aware of student loan benefits such as the Public Service Loan Forgiveness program, whereby qualifying federal loans can be forgiven for people working in public service. This may include people

working in government organizations (federal, state, local, or tribal) and for not-for-profit organizations that are tax-exempt.

There are also tax benefits that families can take advantage of such as the federal student loan interest deduction whereby one can deduct up to \$2,500 for interest paid on a qualified student loan. Be sure to consult your tax professional as there are income limits for this program.

Maine residents and employers may also benefit from Opportunity Maine (Educational Opportunity Tax Credit – EOTC). This tax benefit is for Maine residents paying back eligible student loans or Maine employers paying back eligible student loans on behalf of employees. The degree completion must have occurred on or after Jan. 1, 2008 and the person must live and be employed in Maine. Terms and conditions apply, so please visit OpportunityMaine.org to learn more.

A new and robust repayment program was also introduced by the Harold Alfond Foundation, which is called the Alfond Leaders Debt Reduction Program. It provides student loan debt reduction payments up to \$60,000 to STEM professionals living in Maine and working in a STEM-designated occupation at a Maine-based employer. Payments are made after three and six qualifying years. The next application cycle is Sept. 15 – Nov. 15, 2019. For more information visit AlfondLeaders.org.

Benefits for one and all

Ultimately, providing higher education finance resources to employees can pay off dividends to employers. It helps attract, recruit, and retain employees. It can help increase employee productivity at work. It can help reduce employee stress. And best yet, it can help increase a trained workforce from within the existing employee base.

To seek resources from FAME, contact education@FAMEmaine.com or call 800-228-3734 and ask for Education Employer Outreach. ■

The Maine Municipal Association (MMA) is a voluntary membership organization offering an array of professional services to municipalities and other local governmental entities in Maine.

MMA's services include advocacy, education and information, professional legal and personnel advisory services, and group insurance self-funded programs.

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

Town meetings bring little heat, lots of investment

Environmental issues were decided, land-use decisions were made, a playhouse received strong community support and local police departments were funded.

By Liz Mockler

Municipal budgets, with few exceptions and sparse debate, were favored by May and June town meeting voters, as well as school budgets that in many communities total half or more of residents' annual property tax bills.

In June 11 balloting, there were communities where voters had multiple candidates to choose among for a single seat on a select board or council. They also decided the fate of proposed ordinances or bond requests in secret balloting.

In many communities, voters approved proposed school budgets by large margins. They were then asked if they wanted to continue holding a school budget validation vote, considering the scant turnout for the public hearing prior to the secret vote. The answer was a resounding "yes" in all but one of the communities reviewed.

The validation vote is the final time residents have a chance to weigh in on school spending. As with a handful of municipalities a year, voters will reject the school budget.

Bangor made itself an outlier in June when voters chose to give up their direct say in setting the city's annual school budget.

In a close vote of 352 to 347, Bangor residents who showed up at the polls opted out of an annual referendum that, since 2008, has asked them to approve or reject school budgets that the school committee and city council have already reviewed and approved.

The June 11 election was only to elect municipal and school officials and to present referendum questions

for the public to decide. Annual town meetings were held throughout May and June. In some communities, the municipal budget is part of a referendum they may vote on secretly.

This year, Peru voters rejected both the town and school budgets. Last year, they also rejected the town budget. Peru Vice Chairwoman Carol Roach was not surprised by the voting outcome.

"We are a very conservative town," Roach said, "and our residents really push us hard about our (spending) recommendations."

In a published report in late June, Roach said the RSU 56 superintendent credited Peru voters for pushing school officials back to the blackboard. The previous, rejected school budget totaled \$13.7 million. The new version shows a 5% increase, down from 8%.

"(Even) a small town like Peru can make a difference in important issues," Roach said. "This is a democracy and the citizens" get the last word. The towns of Peru, Canton, Carthage and Dixfield comprise RSU 56.

Climate a priority

Maine voters continued to make the environment and climate change a priority. One example: Will Jones of Kennebunk, until recently a high school senior, worked with town officials, mostly the Ordinance Committee, to develop a proposed ban on the release and display of balloons.

Jones worked with municipal officials for two years before the ordinance was finalized. The vote in favor of a balloon ban on June 11 was not close: 852 to 376

Under the new local law, no one can "knowingly or intentionally release balloons or cause balloons to

be released" at any outdoor event or party. The ordinance also bans outdoor displays of balloons.

Jones wanted the release of balloons banned because when they fall to Earth, they end up in forests, lakes and oceans. Even small pieces can harm or kill animals that mistake the plastic for food. Plastic is often found in the belly of fish, and cited as the cause of death.

Students in Rockland are campaigning to get rid of plastic straws – a move the City of Portland is preparing to make thanks to the advocacy of a second-grader.

In Yarmouth, voters enacted a new Environmental Health and Hazards Reserve Fund. It primarily would pay to combat the invasive browntail moth caterpillar, but can also be used for other emerging threats.

Varied questions, answers

In some areas, schools joined already-established Regional Service Centers (RSC).

Developed by the state Department of Education, an RSC allows schools to pool resources, professional development, transportation, summer classes and share substitute teachers.

For the first time in recent memory, Scarborough residents voted to pass the school budget on the first vote and to keep the validation process for three more years. Voters also agreed to join the Greater Sebago Education Alliance (RSC).

There seemed to be more emphasis and questioning about school budgets in May and June meetings. Scores of land-use, zoning and subdivision ordinances were another focus. Overall, most of the changes, meant to tighten up and clarify the rules, were

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

approved.

In Damariscotta, voters amended many major ordinances. The town's land-use ordinance was reformatted, with the number of units allowed in a multiple-family home increased from 10 to 32. Officials said the reworked ordinance will hopefully ease the shortage of senior care centers and retirement homes. Damariscotta's subdivision ordinance had not been updated in more than three decades and needed to be completely redone.

The new ordinance adds 20 state-mandated criteria. The biggest change is an allowance for "open plan" subdivisions. The option would reduce requirements for lot sizes, setbacks and frontage. Those changes will significantly reduce development costs and allow for more open space in subdivisions, officials said.

Voters in Kennebunkport approved two referendum questions, including an amendment to the waterfront ordinance to require people on the mooring waiting list to renew their mooring applications each year.

Ogunquit voters showed strong support for the Ogunquit Playhouse, agreeing to a zoning change that will allow the theater to make renovations and expand. The vote was overwhelming at 415 to 86. The approved changes, which will also protect the Playhouse as a nonprofit endeavor, was the subject of six public meetings prior to the vote. The select board voted unanimously to send the question to voters.

The Ogunquit Playhouse "is one of the most beloved theater buildings in the world," Executive Artistic Director Brad Kenney said in a published report. "Not in the country, but the world."

In Bridgton, where there were no zoning rules save for the state-mandated Shoreland Zoning Ordinance, residents voted 426 to 347 to support a zoning ordinance drafted by an advisory committee. It will establish various zones for different parts of the western Maine town, which features a quintessential, and changing, New England downtown village.

Rob Baker, code enforcement officer, said the town repealed its only zoning rules in the 1970s or 1980s. He said residents and businesses will need time to get used to the new zoning

rules, but did not think the ordinance goes too far for comfort.

"It will take some getting used to," Baker said, "but the ordinance is not drastic. We will work through it. It will be a learning curve for all of us."

Big expenses

In many communities, voters decided on large spending proposals. The results, overall, were positive.

Kennebunk's referendum asking residents whether the town may use \$1 million in surplus for myriad items, including the purchase or rental of public service vehicles for police, firefighters and communications equipment, passed easily. The money also would be used for road repairs, public works projects (culverts, basins, etc) and razing the community center. The vote was 1,124 to 179.

South Portland residents agreed to bond \$6 million to build a new Cash Corner Fire Station and another \$1 million for improvements to two more fire stations, as well as the police station. The larger bond will be repaid over 20 years; the one for \$1 million will be repaid over 10 years.

Voters in Newcastle agreed to a \$2 million line of credit for a complete rebuilding of Academy Hill Road. Voters last year approved a \$1 million line of credit to rebuild Academy Hill Road and North Newcastle Road. However, the select board did not even establish the line of credit after learning an engineer estimated the cost of a full rebuild of the Academy road would reach \$2 million.

Auburn voters overwhelmingly endorsed a new high school at a cost of \$122 million. It will include state-of-the-art learning spaces, an athletic stadium and gym, and a 1,200-seat auditorium. The state will pay the lion's share of the cost, but the city will need to bond \$14 million toward the new school, expected to open in 2023.

South Berwick increased the police department budget from \$165,032 to just more than \$1 million. The jump reflects the new costs of a stand-alone station and all the utility and other costs to run the new station. Previously, police were housed in the town hall. Another big new bill for the town is for employee benefits. The cost increased from about \$60,000 to \$1.2 million to cover increased health insurance,

life insurance, retirement and other benefits.

This and that

In Wells, residents concerned the town would become home to adult businesses following an inquiry, approved an emergency land use ordinance change by the select board that would allow adult businesses to locate only in the town's light industrial zone. Voters passed the ordinance amendment by a vote of 476 to 328.

New Gloucester voters defeated a referendum question asking for support to create a charter commission, which would allow revisions to the existing charter, as well as drafting new language where needed. The vote was tight: 387 to 391.

Lisbon voters approved merging the two municipal voting districts into one, allowing all councilors to become at-large rather than represent one district. The vote was 258 to 103.

Voters in Thomaston said they do not want to dissolve the town police department. The vote totals reveal voters' reluctance to rely on the sheriff's department: 192 to 487 against the citizen referendum. The cost for coverage by the sheriff's department would total \$450,000. A town police department will cost \$570,000 to \$620,000 for a five-officer force, including health care insurance for officers and their families – a benefit they currently do not receive. Police Chief Tim Hoppe was delighted with the vote and hoped he could fill his roster just as the summer tourism season begins in earnest.

In Gouldsboro, residents expressed similar concerns about dissolving the town police department, a proposal also started by a citizen initiative. During previous hearings on the idea, some residents lamented the cost of running the police department; others had complaints about the chief. The chief resigned a day after the special town meeting vote. He had announced he would step down earlier in June. The referendum was defeated by a vote of 169 to 395 – or 70% of residents voting "no."

In Bethel, voters endorsed a 50-year lease on 10 acres of land owned by the local American Legion post. The cost will be \$1 for the lease. The land will be used to build athletic fields with private funding. ■

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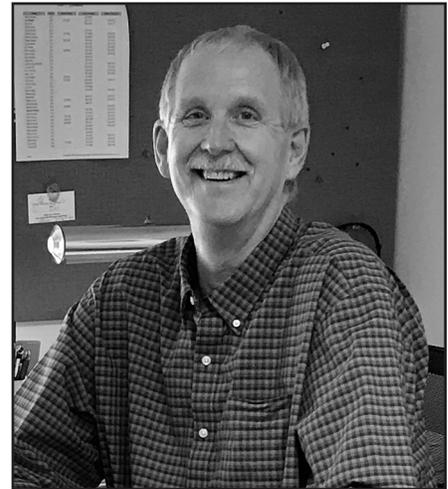
MMA Risk Management Services Welcomes New Loss Control Manager Robert Thomas

Please join us as we welcome Robert (Bob) Thomas as our new Loss Control Manager. Bob joined RMS in December 2003 as a Senior Loss Control Consultant. In 2019, Bob was promoted to Manager of our Loss Control department. Bob is an active participant in several (in-house) committees and outside associations working to address safety & health issues.

Bob has an associate degree in Applied Science from Eastern Maine Vocational Technology Institute. He is CUSA certified (Certified Utility Safety Administrator), and has served on many committees including New England Electric Council of Safety Committees ASTM F-18, EEI (Edison Electric Institute), and the Northern New England

Safety & Health Conference Planning Committee. In 2018, Bob became a FAA certified SUAS pilot holding a Part 107 permit to fly small unmanned aerial systems. Bob is one of two certified drone pilots at MMA, operating a DJI Phantom 4 Pro Plus drone for aerial surveys of insured properties.

Bob will maintain the strong member partnerships that he values and says "I am looking forward to continuing service to our members with a focus on streamlining Loss Control visits by utilizing innovative technology in the hands of our very experienced and knowledgeable staff". Bob also says "not to worry, you will still see me traveling around the State of Maine, meeting with members, and I will always be



available to the membership of MMA by telephone or email if you have questions or need assistance." 🏠

Workers' Compensation Legislative Update

Throughout this Legislative session 27 workers' compensation bills were introduced. Many had the potential to dramatically increase Workers' Compensation cost. Of particular concern was the potential for the elimination of durational caps and retroactive increases in benefits. Ultimately LD756 was the only LD that was voted out of committee, this bill was a compromise bill



that, while it does increase cost, it is not as significant as it could have been. A majority of these changes are not retroactive and will apply to dates of injury on or after Jan. 1, 2020.

It is our understanding that Governor Mills has indicated there will be no further nonconsensual workers' compensation legislation while she is governor. This is important as it

provides some stability of the Workers' Compensation system which will be especially important as we begin to better understand the full impact of LD756 in the coming years.

The following provides some highlights of the changes and increase in benefits

Section 211 Maximum Benefit Rate

The maximum compensation rate will increase from 100 percent of the State average weekly wage (SAWW) to 125 percent of the SAWW.

Section 102, sub-§4, [H Fringe Benefits

Fringe benefits that are discontinued following a work related injury will be

Story Continued on Page 22

Workers' Compensation Legislative Update *(cont'd)*

included in the average weekly wage, to the extent inclusion does not result in a weekly benefit amount that is greater than 2/3 of the new max rate of 125 percent of the state average weekly wage. An increase from 2/3 of the state aww.

Section 212 sub-§4 Cost of Living Adjustment for Total Incapacity Benefits

Annual cost of living adjustments (COLA) on total benefits paid under §212 after 260 weeks of benefits have been paid on an injury, or injuries, contributing to the §212 benefits. Weeks of benefits paid on an injury which does not contribute to the total benefits being paid under §212 will not be included in the 260 weeks, but weeks of total or partial benefits paid on an injury which does contribute to the §212 status *will* be included. Adjustments will equal the percentage increase or decrease in the SAWW for the previous year, or 5 percent, whichever is less. Benefits paid for partial incapacity under §213, even if paid at the total rate, are not subject to a COLA.

Section 213 sub-§1 ¶C Durational Limit on Partial Incapacity Benefits
Durational limit for partial compensation under §213 increased from 520 weeks to 624 weeks (12 years) of

benefits. There may still be an extension of partial benefits for extreme financial hardship, but otherwise this is a hard cap. An extension for "long-term" partial incapacity will not be available, except for employees with dates of injury on or after Jan. 1, 2013 and before Jan. 1, 2020.

Section 215 sub-§1 ¶B Death Benefits

If death results from an injury occurring on or after Jan. 1, 2020 and the employee had no dependents, death benefits must be paid to the employee's parents during their lifetime, up to 500 weeks. "Parents" may be natural or adoptive, so long as parental rights were not terminated. In addition, for deaths resulting from injuries occurring on or after Jan. 1, 2019 and before Jan. 1, 2020, death benefits paid, or payable, to the State under §355, sub-§14, ¶F will be transferred to the parents.

§301 Notice within 60 days

For dates of injury on or after Jan. 1, 2020, notice must be given within 60 days. This is an increase from the current 30 day notice requirement.

§325, sub-§6 Attorneys' Fees

For injuries on or after Jan. 1, 2020, attorneys' fees for lump sum settlements will be capped at 10 percent, replacing the current sliding scale. An Administrative Law Judge will review any amount allocated for past due benefits.

LD 756 Rulemaking, Study and Work Group:

Rulemaking

The Workers' Compensation Board may consider adopting a rule to establish time frames for the filing of petitions following unsuccessful mediation.

Advocate Pay Study

The Workers' Compensation Board will conduct a pay study of the advocate program and make recommendations for changes before Jan. 1, 2020, so that legislation on the subject can be reported out in the next regular session.

Working Group on Work Search, Vocational Rehabilitation and Uninsured Workers

The Workers' Compensation Board will convene a working group of stakeholders on issues of work search, vocational rehabilitation and protections for wrongfully uninsured workers and report the group's recommendations to the Labor and Housing Committee by Jan. 30, 2020, so that legislation on the subjects can be reported out in the next regular session.

Excerpts provided courtesy of Elizabeth Brogan, Executive Director, Workers' Compensation Coordinating Council and Maine Council of Self-Insurers. 🏠



The Municipal Risk Manager

The Municipal Risk Manager is published seasonally to inform you 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.

Publisher: Risk Management Services

Editor: Marcus Ballou

Layout Designer: Jaime G. Clark

P.O. Box 9109, Augusta, ME 04332-9109
1-800-590-5583 or (207) 626-5583

**MMA Risk Management Services is
happy to welcome the newest members:**

Property & Casualty Pool

City of Bangor

Town of Enfield

Town of Kennebunkport

The Old Customs House Inc.

We thank our dedicated members for their partnership.

Complementary Police Driver Training

*Class offered on September 17th, 2019 at Maine Municipal Association
Program will begin a 9:30AM with lunch provided. Space is limited register early!*

In an effort to help protect the Law Enforcement Community, MMA Risk Management Services is excited to sponsor **Vehicle Operation Liability and Legal Concerns for Law Enforcement**, presented by Scot Mattox of Dirigo Safety, LLC. MMA claims data has revealed that motor vehicle accidents account for 74% of all Law Enforcement claims. Over the past ten (10) years, motor vehicle accidents for Law Enforcement has resulted in 128 injuries and over \$4,779,000 in property damage.

The MMA Property & Casualty Pool and Workers' Compensation Fund are sponsoring this training for its members at no cost. The presentation will be on Tuesday, September 17, at the MMA office in Augusta. Coffee and light refreshments will be offered starting at 9:30am with the presentation beginning at 10:00am, with a break at noon for a lunch provided by Maine Municipal Association. This class will provide tools to help officers control exposures and understand potential dangers associated with vehicle operations. Topics covered includes:

- Safety, liability awareness, and legal concerns during routine patrol, emergency operation, and pursuits.
- Officer safety, liability awareness and legal concerns for checkpoints and roadblocks.
- National and State statistics on vehicle operation in law enforcement.
- Relevant national and state case law including: Norton v. Hall.
- Ministerial Activities v. Discretionary Functions and the Maine Tort Claims Act M.R.S. 14 Chapter 741.
- Understanding M.R.S. 17-A 203; 29-A 2054; and 25 Sec. 2806 as they relate to vehicle liability.
- Maine Chief's Model Policy on: Routine and Emergency Vehicle Opera-



tion, Roadblocks, and Pursuits.

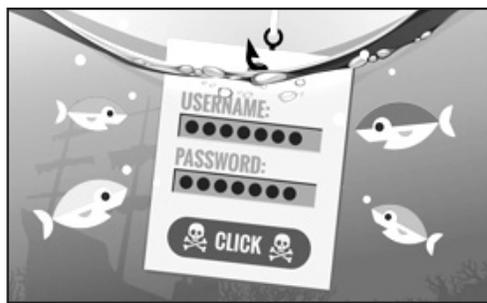
Vehicle Operation Liability and Legal Concerns for Law Enforcement is a great class that will provide helpful reminders for both new and experienced officers about why they need to use more caution when driving. The class discusses the dangers of multitasking while driving, emergency response / pursuit, the effects of shiftwork and being tired while driving, and the liability (both personal and agency specific)

Don't Take the Bait!

More than half of all computer security breaches are the result from human error. Employees that are not properly trained may pose one of the greatest risks to your cyber security.

Many computer security breaches are the result of phishing attacks. A phishing attack tricks email users to click a malicious link in a seemingly legitimate email or to divulge sensitive information, such as usernames, passwords, or account numbers.

Phishing is one of the primary means of gaining access to business computer systems. It's estimated that one in ev-



ery 2,000 emails worldwide is a phishing email. That may sound insignificant until you consider the sheer volume of emails sent every single day—about 270 billion! That's

about 135 million phishing attacks attempted every day.

Spear phishing, a more advanced variation of the phishing message, aims at specific groups or even certain individuals within an organization. Spear phishing emails may look like they come from someone you would trust, possibly even a department within your

that police officers can incur from accidents while driving.

Vehicle operations is one of the most dangerous activities that officers routinely perform. This class is designed to increase all Law Enforcement Officers' awareness and understanding of the liability and legal concerns arising out of the use of vehicles in police operations.

Maine Municipal Association is committed to providing participants in our Workers' Compensation Fund and/or Property & Casualty Pool the highest quality educational experience.

Training is provided at no cost to you, as a value added service.

For registration and/or questions, please contact us by phone at: 1-800-590-5583, or e-mail: (rmslosscontrol@memun.org) or visit: www.memun.org

Story Continued on Page 24

Do you need Money for Safety?

If your entity is in need of money for safety equipment or education we are here to help. The Maine Municipal Association Workers Compensation Fund offers their members two grant programs to assist with safety efforts: the Ed MacDonald Safety Enhancement Grant and Scholarship Grant Programs. These programs offer financial incentives to members of the Fund by supporting their purchase of safety equipment or safety services that will assist in reducing the frequency and/or severity of workplace injuries.

The Maine Municipal Association has been proudly awarding safety grants to Members of their Workers Compensation Fund since 1999. The Ed MacDonald Grant programs have bestowed over **\$ 4.3 Million** of safety enhancement grants and scholarship grants. The Spring grant period witnesses a near record amount of grant requests and we are happy to announce that we were able to award **119 grants for a total of \$161,592.**

For more information about any of the Maine Municipal Association Risk Management Service programs, including the Ed MacDonald Safety Enhancement Grants eligibility and applications, please visit our website at www.memun.org and click on the Risk Management Services link, or call us at 1-800-590-5583. 🏠

Honorable Mention

“With our recent fire at the public works garage, MMA Risk Management Services Property & Casualty Pool was there the very next day. MMA has been working closely with us to replace the loss, in fact we have not had one disagreement over value or replacements. Deb Marquis Property Claims Adjuster, is a tremendous asset and assisted us in everything we requested.

We had a concerned citizen who was in the insurance business for over 40 years review our policy page by page and made an announcement at a town meeting “Do not ever leave this insurance plan, you will never get this type of coverage at this price in the private industry”

Several years ago, we had a fire truck explode and catch on fire, it was a total loss and with the agreed value we were able to purchase a new truck and Marcus Ballou dropped off our insurance check about a week after the accident.” 🏠

Jay Feyler, Town Manager, Town of Union

Don't Take the Bait! *(cont'd)*

own organization. They may contain your personal information to gain your trust in the message. They create a sense of urgency about responding or taking action.

The best defense against phishing attacks is employee training and education. A good security awareness program is most effective when you communicate through multiple formats. Consider awareness posters in common areas, helpful hints distributed to employees via email, and classroom training sessions. MMA Risk Management Services Online University offers the course, “Preventing Phishing”, which raises employee awareness and offers practical advice on avoiding phishing attempts.

Training your employees to detect phishing and other fraudulent activity is one of the most important safeguards against cybercrimes. If you need assistance with employee training, contact the MMA Risk Management Services at 800-590-5583, or find online training at www.memun.org. 🏠

FREQUENTLY ASKED QUESTIONS:

Question:

When do I file a claim?

Answer:

The best defense of a potential claim is achieved through early reporting and investigation. Timely reporting is essential and will provide assurance that you have coverage for an event even if the formal claim is not made until years later.

Prompt Claims Reporting:

a) Members can file claims electronically at: www.memun.org/InsuranceServices/RiskManagementServices.aspx or by calling 1 (800) 590-5583.

b) Don't be concerned that filing a potential claim will increase your annual contribution. In fact the opposite is true. Timely reporting has proven to save money.

c) Timely reporting allows RMS Adjusters to proactively manage your claim and provide you an assessment, explanation of coverage, defenses and recommendations.

REMINDER:

If you fail to report a “lost time” injury to the Workers’ Compensation Board within 7 days, you will incur a \$100.00 fine.

Maine Department of Labor requires that all fatalities must be reported within 8 hours to (207) 592-4501. Also, all serious physical injuries that require hospitalization, including amputation, loss or fracture of any body part be reported within 24 hours.

Please look for this new Frequently Asked Questions section of the Municipal Risk Manager each quarter. If you have a question you would like to ask please email Marcus Ballou at mballou@memun.org

Lots of changes on select boards, councils after recent voting

By Liz Mockler

Following are among the municipal election results from May and June annual town meeting voting. The results also include voting from the June 11 statewide ballot.

Unopposed incumbents are not included in the listings, with rare exceptions. The names of challengers also are not included, unless they are former select board members or other former or current municipal officials. Former select board members are included, regardless of whether they won.

The results are based on news reports, interviews with town clerks and municipal website results used to doublecheck the candidates' names and vote totals. They are listed in alphabetical order by municipality.

Andover: **Joseph Luce** was the sole candidate for a select board seat and won with 10 write-in votes. He replaces **Wendy Closson**, who did not seek re-election. By comparison, the two school board members collected 59 votes and 49 votes.

Bar Harbor: Incumbent **Jeff Dobbs** retained his seat, while Vice chairman **Matthew Hochman** was re-elected in a four-way race for two town council seats. The two top vote-getters won. Dobbs, whose term had ended, received the most votes with 480 to replace **Paul Paradis**, who did not seek re-election after serving 13 years. Hochman received 440 votes to keep his seat, while **Martha Serchfield**, who serves on multiple town committees, garnered 325 votes and **Peter St. Germain**, running for the third straight year, received 356 votes.

Boothbay: Incumbent Selectman **Charles "Chuck" Cunningham** narrowly lost his bid for another term by a vote of 206 to 201. He was defeated by newcomer **Desiree Scorgia**, Boothbay Harbor Memorial Library's assistant director of

community engagement. This will be her first foray into municipal government. Cunningham asked that the ballots be inspected – not recounted – and was satisfied with the result after watching the procedure conducted by Town Clerk Lynn Maloney. Scorgia was absent for the inspection, but sent a representative in her place. The vote totals did not change. Cunningham ran for the select board twice before winning the first of five terms in 2004.

Canton: Former Town Administrator **Scotty Kilbreth** defeated incumbent Selectman **Rob Walker** by a vote of 102 to 66. Three other candidates vied for one of two of the seats, including incumbent **Brian Keene**, who won re-election with 78 votes. The remaining two opponents received 74 and 26 votes.

Cumberland: In a four-way race for two seats, incumbent **Michael Edes** was the top-getter with 991 votes, while newcomer **Robert Vail** received 827 votes to win the second seat. Vail replaces **Peter Bingham**, who did not seek re-election.

Dixfield: Incumbent Selectwoman **Norine Clarke** received 172 votes to win re-election to one of two seats. **Ricky Davis** received 116 votes, defeating incumbent **Aaron Jamison**.

Dover-Foxcroft: Incumbent Selectwomen **Jane Conroy** and **Gail M'Agostino** received 181 and 176 votes, respectively. The challenger earned 82 votes.

Dresden: **Gerald Lilly** outpolled incumbent Second Selectman **Dwight Keene** 103 to 76 votes. In a flip-flop, Keene defeated Lilly in 2016 by 11 votes. Keene was a good loser and said he thought Lilly was a good man for the job.

Falmouth: In a five-way contest for three open seats on the town council, newcomer **Janice De Lima** received the most votes with 1,441, followed by **Thomas Johnson** with 1,408 votes and **Jay Trickett** with 1,397. The winners

will replace **Andrea Ferrente** and **Aaron Svedlow**, who did not seek re-election. **Claudia King** was termed-out from the seven-member council.

Farmingdale: Incumbent Selectman **James Grant** was defeated by **Andy Velani** by a vote of 155 to 66.

Gray: **Anne Gass** ran unopposed to replace Councilor **Jason Wilson**, who did not seek re-election. Gass received 366 votes.

Greenville: Voters elected newcomer **Newton Pierce**, who received 87 votes for a three-year term on the Select Board. He bested two other candidates, who garnered 83 and 79 votes. **Richard Peat**, who did not seek re-election, received 74 write-in votes.

Greenwood: Norman Milliard was elected in a special town meeting June 20 following the regular May annual town meeting election when three candidates did not receive at least half the votes to win. Milliard, who will replace incumbent Fred Henderson, garnered the most votes in all the three previous votes, but the closest he got to was 26 votes for first place in the first round of balloting. Milliard placed first in all four votes. On June 13, he received 33 votes.

Hollis: Incumbent **John Rogala** ran unopposed to replace himself. He was appointed by the select board last June when another board member resigned. He received 241 votes to win a full three-year term.

Hope: **Thomas Ingraham** and **Bruce Haffner** defeated two other challenges in a four-way race for two open seats. The winners replace **Richard Crabtree** and **Michael Brown**. Ingraham received 152 votes, while Haffner collected 124. The two losers received 103 and 98 votes.

Kennebunk: Incumbent Selectman L. Blake Baldwin held onto his seat by defeating a challenger by a vote of 914 to 689. There were 1,025 blank ballots.

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

Limestone: **James Pelkey Jr.** defeated incumbent Selectman **Patrick St. Peter** by a vote of 111 to 87.

Madison: Incumbent Selectmen **Albert "Al" Veneziano** and **Ron Moody** held off a challenge by former Skowhegan Selectman **Don Skillings** to win re-election to three-year terms. Veneziano received 170 votes and Moody collected 140. Skillings picked up 51 votes.

Machias: **James "Jim" Jackson** received 50 votes to win the seat left vacant when Selectman **Warren Gay** died last August. In a special election, **Glenn Davis** prevailed to fill Gay's seat until the June 11 election. Two other candidates for the seat received 29 and 25 write-in votes. They did not get their nomination papers filed in time to make the ballot. Davis did not seek a full term.

Northport: Newcomer **Jeanine Tucker** ran unopposed to replace **Mark Humphreys**, who did not seek re-election after two terms.

Oxford: In a five-way race for two select board seats, incumbent **Caldwell Jackson** received 198 votes to win re-election, while newcomer **Sharon Jackson** collected 199 votes. Incumbent **Floyd Thayer** garnered 174 votes and

the remaining two candidates received 139 and 60 votes.

Ogunquit: **Lindsey Perry** defeated **Kirk Lavoie** by 10 votes, 267 to 257, to win the seat vacated by **Richard Doliver**, who did not seek re-election.

Orrington: Incumbent Selectman **Christopher Robison** defeated a challenger by a vote of 349 to 332 to win another three-year term.

Phillips: **Larry Pinkham** was elected to a three-year term as selectman, defeating board Chairman **David Vincent**

by a vote of 27-14.

Pittston: Former Selectwoman **Jane Hubert** defeated a second candidate by five votes, 129 to 124, to take the seat of **Roger Linton**, who resigned in early March before his name could be removed from the annual town meeting ballot.

Peru: Incumbent Chairwoman **Raquel Welch** won a third term with 210 votes, while newcomer **Tammi Lyons** received 212 to complete the term of **Kevin Taylor**, who resigned last



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Meet Our Attorneys

Michael A. Hodgins

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. He has been listed by Best Lawyers in America in many practice areas, with distinction for land use and zoning, and recognized for his general litigation practice by New England Super Lawyers.

Mike is a trained mediator and serves as a neutral to assist parties in disputes that are as varied as his litigation practice.

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Readfield: In a four-way race for two select board seats, incumbent **Kathryn Mills Woodsum** and newcomer **Ralph Eno Jr.** collected 239 and 270 votes, respectively. The two other contenders received 226 and 176 votes.

Scarborough: In a special election to fill the seat vacated by **Shawn Babine**, **John Cloutier** defeated former Selectwoman **Jessica Holbrook** by a vote of 1,252 to 1,114. Cloutier will serve the remaining 17 months of Babine's term, which expires in November 2020.

Sebago: After checking machine-tabulated ballots three times on election night May 28, incumbent Selectman **Philip Lowe** and challenger **Scott Douglas** tied with 86 votes each. Town Clerk Maureen Scanlon held a recount on May 31, resulting in Douglas, a neophyte, winning by a single vote, 87 to 86. Meanwhile, incumbent **Christopher Parker** was the top vote-getter with 97 to win another term. He has served as selectman since 2012.

Standish: **Sara Gaba** defeated incumbent **Greg Sirpis** by a vote of 312 to 241 for a three-year term as the at-large councilor. In addition to the town council, Sirpis has served on other town boards, including the Public Safety Committee. **Gregory LeClerc** defeated **Patricia Frechette**, 300 to 248 votes, for a two-year Area 1 seat. DeClerc was appointed by the town council last October to serve the remainder of **Isabel Higgins'** seat, who resigned. **Joseph Paul** ran unopposed to fill the one-year term as Area 2 councilor. Paul replaces **Peter Starostecki**, who resigned April 9.

Thomaston: Incumbent **William Hahn** and newcomer **Sandra Moore** received the most votes to win in the four-way race for two seats. Hahn received 333 votes while Moore picked up 309. Their opponents collected 297 votes and 172 votes. Moore replaces **Peter McCrea**.

Union: Newcomer **Adam Fuller** defeated incumbent Selectman **James Justice** by a vote of 148 to 50. Justice had served on the board since 2004. **Joshua White** received 197 votes in his uncontested run to replace **Lyle Cramer**, who did not seek re-election.

Vinalhaven: **Eric Gasperini** planned to retire from the select board, but he received 146 write-in votes to defeat the lone candidate on the ballot, who received 113 votes.

Waldoboro: **Robert Butler** received

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323 votes to defeat one challenger, who garnered 210 votes.

Warren: **Brent Pratt** collected 171 votes to outpace two opponents to win election to the seat once held by **Arnold Hill**, who did not seek re-election after 30 years. The other candidates received 99 votes and 65 votes.

Wiscasset: Selectwoman **Katharine Martin-Savage** and former Selectman **Jeff Slack** held off one challenger to win two open seats. Martin-Savage received 320 votes, while Slack garnered 261. The third candidate received 195 votes. Slack replaces **Robert Blagden**, who did not seek re-election.

Yarmouth: Councilor **Robert Waelder** was re-elected with 703 votes, garnering the highest number in a four-way race for two seats. **Randall Bates**, whose term expired, ran for the seat that opened when Councilor **Patricia Thompson** did not seek re-election. Bates received 688 votes to win the seat. The two challengers collected 552 and 232 votes.

York: Newcomer **Marilyn McLaughlin** received 1,894 votes to hold off one challenger to take the seat of **Dawn Seigny Watson**, who resigned from the board. The challenger, **Kathleen Kluger**, a planning board member, garnered 1,261 votes.

Wells: Incumbent Selectmen **John MacLeod** and newcomer **Sean Roche** received the most votes in a three-way race for two open seats. MacLeod

garnered 557 votes and Roche 525 to replace **Daniel Hobbs** and **John Howarth**. The third candidate received 389 votes. ■

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IT'S SALARY SURVEY TIME!

Please take time to complete or update your municipality's portion of MMA's new and searchable, statewide Municipal Salary Survey. This is a valuable tool for elected officials, managers and appointed staff.

<https://salarysurvey.memun.org>

The deadline to do so: Aug. 15.

Updating the survey is so easy. Just look your 2018 data, and update only the areas that changed. **Remember:** your email address serves as your username.

For more information, including the option to "copy prior year data," contact Carol Weigelt at MMA.

207-623-8428 or email: salarysurvey@memun.org

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BUILT TO LAST

2019 MMA Convention



Featured Speaker – Joe Minicozzi

Let's Talk Progress: Tools that Help Communities Grow

Thursday, October 3 – 11:45 a.m.-1:30 p.m.

Is your city or town built on a smart economic foundation – well-planned and designed, approaching development in a forward-thinking way? Or are you busy running from challenge to challenge – fixing roads and water mains here, offer tax breaks there? Joe Minicozzi, a sought-after, national expert on municipal economics and urban design, will offer insight and humor as he challenges conventional thinking and entrenched biases about development. If you hope to create a strong community, one that is built to last, our 2019 featured speaker is a “can’t miss.”

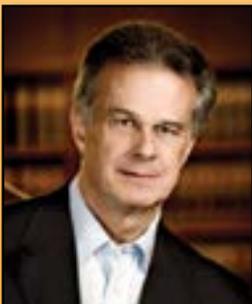


Trouble in the Presidentials: What a Mountaineering Accident Shows Us About Leadership, Teamwork and Managing Risk

FEATURED SPEAKER – Ty Gagne, CEO Primex3

Thursday, October 3 – 9:00-10:15 a.m.

Although strikingly beautiful, Mount Washington and the surrounding Presidential Range hold the dubious distinction of having “the world’s worst weather.” The Presidential Range is also renowned for the challenging terrain it provides for alpinists. As such, it has been the scene of hundreds of mountaineering accidents over the years. Ty will provide in-depth analysis of a recent tragedy on the range and extend those lessons, and others learned above tree line, into your roles as leaders, managers, staff and team members.



Killer Show: Lessons from the Station Nightclub Fire

FEATURED SPEAKER – John Barylick, Attorney with Wistow, Barylick, Sheehan and Lovely

Wednesday, October 2 – 3:00 p.m.-4:30 p.m.

Sixteen years ago, the world was stunned by the news of a tragic fire at The Station nightclub in West Warwick, R.I., which claimed 100 lives and affected far more. This presentation analyzes the causes of that fire, conditions that contributed to its severity, and a discussion of what can be done to prevent similar catastrophes.



Welcome

Bangor Council Chair - Sarah Nichols

Wednesday, October 2 – 9:00 a.m.

Credit card payments accepted
with online registrations!

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The 2019 MMA Convention – 83rd Anniversary Year Preliminary Lineup

Wednesday, October 2, 2019

7:30 a.m. Registration Begins

7:30 – 10:30 a.m. Continental Breakfast

9:00 – 10:00 a.m. WELCOME AND FEATURED SPEAKER

Leadership Lessons from the Podium

Lucas Richman draws on years of experience leading orchestras around the world. The Bangor-based, Grammy Award-winning conductor shares lessons in life and leadership in an interactive discussion on what it means to be a performer who doesn't make a sound, but leads an organization to create a unified artistic interpretation among 70 individual performers. He will share what he learned from working with great artists, from Leonard Bernstein to Martin Short to Midori. Lucas will offer inspiration for leaders responsible for guiding diverse organizations and multiple audiences.

Presenter: Lucas Richman, Music Director & Conductor for the Bangor Symphony Orchestra

Certification: Valid for 1 MTCMA Certification credit in the following categories: Leadership.

10:00 – 10:30 a.m. Break/Visit with Exhibitors

10:30 – 11:45 a.m. Concurrent Sessions

Marijuana: Comprehensive Update

As details about legal recreational and medical marijuana come into view, municipal officials in Maine have decisions to make. This panel discussion offers important, distinct points of view – a statewide perspective, legislative analysis and legal counsel. If legalized marijuana is something that your community is looking at, this workshop is for you.

Presenters: Garrett Corbin, Legislative Advocate, Maine Municipal Association; Rebecca McMahon, Staff Attorney, Maine Municipal Association; Representative from the Maine Office of Marijuana Policy

Certification: Valid for 1.25 MTCMA Certification credits in the following category: Legal.

Maine Bicentennial Celebration

Maine will soon celebrate its 200th birthday! Join representatives from the Bicentennial Commission to learn about the Commission's plans for the bicentennial and how municipalities can get involved. Towns and cities will be encouraged to come up with programming that highlights local history or ties into their specific communities.

Presenters: Bradley Sawyer, Business Manager and Dave Cheever, Vice Chairman, Maine Bicentennial Commission

Certification: Valid for 1.25 MTCMA Certification credits in the following category: Leadership.

Banking Due Diligence for Municipalities

Doug Berge of Veribanc will explain the need for depository due diligence (not readily available 40 years ago), the benefits of monitoring the safety and soundness of banking institutions where towns and cities have deposits, as well as how to mitigate banking risk as well as one's professional liability exposure.

Presenter: Doug Berge, Veribanc, Inc.

Certification: Valid for 1.25 MTCMA Certification credits in the following categories: Ethics and Finance/Budget.

11:45 a.m. – Noon Break/Visit with Exhibitors

Noon – 1:30 p.m. Awards Luncheon

1:30 – 1:45 p.m. Break/Visit with Exhibitors

1:45 – 2:45 p.m. Concurrent Sessions

MMA Annual Business Meeting

Please join us as President Mary Sabins, Vice President Christine Landes and Executive Director Stephen Gove shed light on MMA's upcoming priorities and topics that arose in 2019.

Certification: Valid for 1.00 MTCMA Certification credit in the following category: Leadership.

Posted Roads: State Statutes, Local Restrictions

Let's face it: For many communities, local roads – including roads vulnerable to heavy trucks during certain seasons – are what municipal decision making is all about. This detailed presentation will walk attendees through what state statutes actually say, whether local ordinances are good options and how to time road postings.

Presenters: Pete Coughlan, Maine DOT Local Roads Center; Michael Stultz, Staff Attorney, Maine Municipal Association; John Rouleau, Director of Public Works, City of Old Town

Certification: Valid for 1.00 MTCMA Certification credit in the following categories: Legal and Finance/Budget.

Tax Increment Financing in Maine Towns

(Co-sponsored by Maine Municipal Tax Collectors' and Treasurers' Association)

Municipal tax increment financing is a tool available to all municipalities and unorganized territories. There are around 500 tax increment financing districts in Maine. Learn about the program from a TIF attorney who represents municipalities across the state and from a municipal official who can speak about the implementation of a TIF district in a particular community. Be prepared to hear advantages and disadvantages of the program, as well as feedback about the program's applicability to both smaller communities and larger cities.

Presenters: Shana Cook Mueller, Bernstein Shur; Curtis Lunt, Manager, Town of Monmouth

Certification: Valid for 1.00 MTCMA Certification credit in the following categories: Finance/Budget and Legal. Valid for 5 MMTCTA points toward certification as tax collector or treasurer.

2:45 – 3:00 p.m. Break/Visit with Exhibitors

3:00 – 4:30 p.m. FEATURED SPEAKER

Killer Show: Lessons from the Station Nightclub Fire

Sixteen years ago, the world was stunned by the news of a tragic fire at The Station nightclub in West Warwick, R.I., which claimed 100 lives and affected far more. This presentation analyzes the causes of that fire, conditions that contributed to its severity, and a discussion of what can be done to prevent similar catastrophes.

Presenter: John Barylick, Attorney with Wistow, Barylick, Sheehan and Lovely in Providence, R.I.; Author of "Killer Show: The Station Nightclub Fire."

Certification: Valid for 1.50 MTCMA Certification credits in the following categories: Leadership and Legal.

4:30 – 6:00 p.m. Member Appreciation Reception

Thursday, October 3, 2019

7:30 a.m. Registration

7:30 – 9:00 a.m. Buffet Breakfast

9:00 – 10:15 a.m. FEATURED SPEAKER

Trouble in the Presidentials: What a Mountaineering Accident Shows Us about Leadership, Teamwork and Managing Risk

Although strikingly beautiful, Mount Washington and the surrounding Presidential Range hold the dubious distinction of having “the world’s worst weather.” The Presidential Range is also renowned for the challenging terrain it provides for alpinists. As such, it has been the scene of hundreds of mountaineering accidents over the years. Ty will provide in-depth analysis of a recent tragedy on the range and extend those lessons, and others learned above tree line, into your roles as leaders, managers, staff and team members.

Presenter: Ty Gagne, CEO Primex3

Certification: Valid for 1.25 MTCMA Certification credits in the following category: Leadership.

10:15 – 10:30 a.m. Break/Visit with Exhibitors

10:30 – 11:45 a.m. Concurrent Sessions

ABCs of Economic Development

(Co-sponsored by Maine Community Development Association)

Every rural community wants economic development, but how to start? This panel discussion will walk attendees through the basics of planning for economic development, from identifying your town’s areas of potential, to approaching businesses and organizations, from financing projects to seeing concrete progress.

Presenters: Christopher Winstead, Executive Director, Piscataquis County Economic Development Council; Margaret Daigle, Chair Select Board, Town of East Millinocket; Danielle Ahearn, SVP Community Development Officer, Bangor Savings Bank

Certification: Valid for 1.25 MTCMA Certification credits in the following categories: Leadership and Finance/Budget.

Customer Service Excellence: Dealing with Difficult People

Customer service is a tricky business, especially in the public sector. How do you deliver first-rate service when handling irate and sometimes irrational citizens? This panel of experts will examine this growing problem and provide tips and tricks learned from their many years of experience on the “front lines.”

Presenters: Suzanne Farnham, Home Agent Job Coach, L.L. Bean; Michael Roy, Manager, City of Waterville; Kathy Montejo, Clerk, City of Lewiston

Certification: Valid for 1.25 MTCMA Certification credits in the following categories: Leadership.

How Do You Value Your Town, City or County Manager

(Co-sponsored by Maine Town, City and County Management Association)

In this world of ever-changing rules and regulations, how do you provide your manager with the tools needed to keep up with day to day and future challenges that need to be addressed? How can being involved with the Maine Town, City and County Management Association help your Manager acquire the tools needed to manage change in your municipality? Civility and respect between elected officials and their appointed Managers are crucial to the health of community relations. This session will attempt to explain the importance of training, engagement, respect, and civility for both elected and appointed officials.

Presenters: Perry Ellsworth, Manager, Town of South Berwick & President, Maine Town, City and County Management Association; Bert Kendall, Interim Manager, Town of Denmark & MTCMA Senior Advisor

Certification: Valid for 1.25 MTCMA Certification credit in the following categories: Leadership and Elected Relations.

11:45 a.m. – 1:30 p.m. LUNCHEON & FEATURED SPEAKER

Let’s Talk Progress: Tools that Help Communities Grow

Is your city or town built on a smart economic foundation – well-planned and designed, approaching development in a forward-thinking way? Or are you busy running from challenge to challenge – fixing roads and water mains here, offer tax breaks there? Joe Minicozzi, a sought-after, national expert on municipal economics and urban design, will offer insight and humor as he challenges conventional thinking and entrenched biases about development. If you hope to create a strong community, one that is built to last, our 2019 featured speaker is a “can’t miss.”

Presenter: Joe Minicozzi, Principal, Urban3, Asheville, N.C.

Certification: Valid for 1.25 MTCMA Certification credits in the following categories: Leadership and Finance/Budget.

1:30 – 2:30 p.m. Dessert Social & Musical Entertainment!

Head to the exhibit hall for desserts, one last chance to visit with exhibitors and music provided by Riff Johnson.

2:30 – 3:30 p.m. Concurrent Sessions

Connecting Communities via the East Coast Greenway

The East Coast Greenway is a walking and biking route stretching 3,000 miles from Maine to Florida and is designed to transform the 15 states and 450 communities it connects through active and healthy lifestyles, sustainable transportation, community engagement, climate resilience, tourism, and more. Kristine Keeney, the Alliance’s New England Coordinator, will provide an overview of the vision and genesis of this project, its current route in Maine, the benefits to local communities, and highlight some of the efforts to complete the route in the state right now.

Presenter: Kristine Keeney, New England Coordinator, East Coast Greenway Alliance

Certification: Valid for 1.00 MTCMA Certification credit in the following category: Leadership.

How to Combat Phishing in Town Offices

Saco’s IT Director will provide a toolkit to prepare a customized strategic security plan for your municipality and identify your organization’s security leverage points. This session will cover: how to develop cybersecurity awareness training; the need for implementing auditing and monitoring systems; and, the importance of preparing for a security breach. Do you have an operations plan in place? Have you created policies? Do you have backups? Do you know how to report breaches? How many items can you check off on our cybersecurity preparedness checklist?

Presenter: Ryan Pinheiro, Information Technology Director, City of Saco

Certification: Valid for 1.00 MTCMA Certification credit in the following categories: Leadership and Finance/Budget.

Regional Planning and Development Issues

Development and redevelopment challenges vary greatly between rural areas and densely populated ones. How densely populated communities approach the issue may differ from rural communities, though each will share common challenges and opportunities. This workshop suggests that regional planning – neighbors working with neighbors – is an approach worth considering, and it will uncover barriers to cohesive development and offer support and help.

Presenters: Rebecca Graham, Legislative Advocate, Maine Municipal Association; Others TBD

Certification: Valid for 1.00 MTCMA Certification credits in the following categories: Finance/Budget and Leadership.

Thursday, October 3, 2019

Right to Know

Attorneys from MMA's Legal Services Department offer Right to Know training that is required for both elected officials and municipally appointed Public Access Officers. Attendees will get certificates that they completed the course.

Presenters: Richard Flewelling, Assistant Director, Legal Services, MMA; Susanne Pilgrim, Director, Legal Services, MMA

Certification: Valid for 1.00 MTCMA Certification credit in the following category: Legal.

3:30 p.m. Adjourn

Overnight Accommodations

Hollywood Casino Hotel

500 Main Street, Bangor, ME 04401
(877) 779-7771 or (207) 974-3502

Tuesday, October 1, 2019 and Wednesday, October 2, 2019
Rate: \$94 per night + 9% occupancy tax + \$10 amenity fee
Cutoff date is September 10, 2019

Under: Maine Municipal Association

Bangor Residence Inn by Marriott

22 Bass Park Blvd., Bangor, ME 04401 • (855) 440-4244

Tuesday, October 1, 2019 and Wednesday, October 2, 2019

Rate: \$159 per night + 9% occupancy tax (King Studio Suites; rate includes full breakfast buffet)

Cutoff date is September 1, 2019

Under: Maine Municipal Association

Affiliate Association Programs

Please see full Convention program for additional offerings, highlights, special events and CEU/Certification credits/points. The following sessions have been prepared by and are sponsored by individual affiliate associations. All sessions are open to all Convention attendees.

Community Television Association of Maine (CTAM) & Central Maine Media Alliance (CMAA)

Thursday, October 3

10:30 – 11:45 a.m. Access \$1 Million Value for Your Town

Municipalities across Maine are missing out on huge amounts of funding, technology and services available to them. This session will explore the economic development and community engagement benefits of community television and PEG Media, and will provide turn-key solutions and practical applications that towns of all sizes and budgets can utilize.

Presenter: "Twinkle" Marie Manning, Director of Development, Central Maine Media Alliance

Maine Association of Local Emergency Managers (MALEM)

Wednesday, October 2

10:30 – 11:45 a.m. Public Safety Broadband Network Update

FirstNetME and AT&T FirstNet representatives will brief session attendees on the status of the public safety broadband network build-out in Maine, including its capabilities regarding municipal emergency management communications.

Presenters: David Maxwell, Program Director, FirstNetME; Bruce Fitzgerald, Principal Consultant, AT&T FirstNet

Maine Association of Planners (MAP)

Thursday, October 3

1:30 – 2:30 p.m. Planning & Land Use Ordinances

This "roundtable" session is an opportunity to hear about and share experiences municipalities have in managing, revising, or developing new land use ordinances. We will discuss the challenges of juggling local, state and federal regulations in preparing for and participating in Planning and Appeals Boards meetings, and touch upon legal implications of juggling so many volumes of regulations. Hear about (and share) examples of municipalities who have

worked to streamline local ordinances, resources for updating or creating new ordinances, approaches to training and updating members of Planning and Appeals Boards, and discuss ideas for improving resources and support for land use ordinance development. This session is for planners, code enforcement officers, planning board or appeals board members, town managers, or anyone interested in discussing issues of land use ordinances in Maine.

Maine Chapter of American Public Works Association (MCAPWA)

Thursday, October 3

8:00 – 8:15 a.m. MCAPWA Business Meeting

Opening Remarks, Election of Officers & General Meeting Business.

8:15 – 9:30 a.m. Talking Trash: Addressing Global Markets Locally

Panelists: Craig Stuart-Paul, President, Fiberright; Ben Breadmore, Town Manager, Town of Holden; Bev Uhlenhake, Mayor, City of Brewer

9:30 – 9:45 a.m. Maine Road Scholar Presentations

Presenter: Pete Coughlan, MaineDOT Local Roads Center

9:45 – 10:00 a.m. Break

10:00 – 10:45 a.m. TBD

10:45 – 11:00 a.m. Break

11:00 a.m. – 12:00 p.m. What's Happening at MaineDOT?

Presenter: Bruce Van Note, Commissioner, MaineDOT

MCAPWA Luncheon will follow at the Hollywood Casino Hotel (pre-registration required)

Maine Community Development Association (MCDA)

Wednesday, October 2

10:30 – 11:45 a.m. Meeting the Challenges of Housing Older Adults

The Community Aging in Place Grant is a low-cost, high impact home modification program that helps low and moderate income older Mainers stay in their homes safely.

Presenter: Clyde Barr, Maine Housing

Affiliate Association Programs

Maine Fire Chiefs' Association (MFCA)

Wednesday, October 2

10:30 a.m. – 12:30 p.m. Annual Meeting and Maine Fire Chief of the Year Award and Luncheon at Hollywood Casino Hotel

1:30 p.m. – 3:00 p.m. TBD

Maine Government Finance Officers Association (MEGFOA)

Co-Sponsored by Maine Municipal Tax Collectors' and Treasurers' Association (MMTCTA)

Thursday, October 3

1:30 – 3:30 p.m. Continuity of Fiscal Operations

A storm hits your community, leaving your town hall stranded for days, and your finance staff cannot get to their offices. Or, a strain of flu settles on your community and half of the town's employees are out sick, so the town hall closes because there are not enough employees to keep it open. How would you be able to pay employees, purchase supplies for 24/7 operations and emergency response, collect revenue, manage cash flow, and handle treasury functions? A section of your town is devastated during a storm, wiping out roads, homes, and utilities. How do you fund significant costs of recovery and rebuilding while waiting for federal reimbursement? In disaster and recovery planning, fiscal functions are often overlooked as being emergent in nature. In fact, some of these functions are needed to keep the emergency response going, or to maintain financial stability while taking on large recovery expenses. This session will explore some of the connections between administrative financial operations and direct services that should be considered during disaster and recovery planning.

Certification: Valid for 5 MMTCTA points toward certification as tax collector or treasurer.

Maine Resource Recovery Association (MRRA)

Wednesday, October 2

1:45 – 4:00 p.m. TBD

Maine Town & City Clerks' Association (MTCCA)

Wednesday, October 2

10:15 a.m. – 2:45 p.m. State Agency Updates

10:15-10:45 a.m. Vital Records Updates: Theresa Roberts, Deputy State Registrar

10:45-11:45 a.m. Elections & Notary Public Updates: Julie Flynn, Deputy Secretary of State

1:45-2:15 p.m. Animal Welfare Updates: Liam Hughes, Director of Animal Welfare

2:15-2:45 p.m. Inland Fisheries & Wildlife Updates

Certification: Attendance at the MMA Convention is valid for 2 optional points for MTCCA Certification.

Maine Welfare Directors' Association (MWDA)

Thursday, October 3

10:30 – 11:45 a.m. General Assistance Overview

This session will provide a basic overview of administering a General Assistance program. It is appropriate for any municipal representatives involved with or interested in their GA program. Topics covered will include eligibility requirements, the application process, and emergency assistance.

Presenter: Rindy Fogler, Community Services Manager, City of Bangor

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Pay by credit card when you register online here: <https://memun.org/Convention/Registration>

Attendee Registration Form

MMA Convention – Cross Insurance Center, Bangor – October 2 & 3, 2019

One registrant per form (please photocopy for additional registrations)

BILLING INFORMATION:	NAME BADGE INFORMATION:	<i>*Name badge will read as indicated here.</i>
Full Name: _____	First Name: _____	
Employer: _____	Last Name: _____	
Billing Address: _____	Primary Title: _____	<i>(Please list one)</i>
City, State, Zip: _____	Employer: _____	
Phone: _____		
Email: _____		

CONVENTION REGISTRATION FEES (For one or both days):			Cost
<input type="checkbox"/> MMA Members	Registration Fee	\$ 90.00	
<input type="checkbox"/> Non-members	Registration Fee	\$ 180.00	

MEALS:			Cost
WEDNESDAY LUNCHEON (OCT 2):			
<input type="checkbox"/> Awards Luncheon (Buffet) – Cross Insurance Center (Ballroom)		\$ 28.00	
THURSDAY LUNCHEONS (OCT 3):			
<input type="checkbox"/> Luncheon (Buffet) with Featured Speaker – Cross Insurance Center (Ballroom)		\$ 28.00	
<input type="checkbox"/> Maine Chapter of American Public Works Association (MCAPWA) <i>(Hollywood Casino)</i>		\$ 18.00	
TOTAL (Registration Fee & Meals) \$			

I plan to attend (choose ONE): Wed 10/2 Thur 10/3 Both Days *(Fee is the same for one or both days)*

SPECIAL EVENTS

For planning purposes, please select if you are attending these complimentary activities:

Member Appreciation Reception (Wed 10/2) Dessert Social & Musical Entertainment (Thur 10/3)

Payment Options: Send invoice* Check will be mailed** Payment Enclosed** PO #: _____

*(**Please send a copy of this registration form with payment)*

→ Credit card payments accepted with online registration only. ←

Fax registration form to: (207) 626-5947 **Mail form to:** Convention Registration, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330

Signature: _____ Date: _____

Please make check payable to: Maine Municipal Association

Questions/Cancellations: Cancellation notification must be given in writing at least 3 business days before the start of Convention. Any cancellation received within that 3 day window will be charged the full registration fee. All cancellations are subject to a \$10 administrative fee for processing. Registrations may be transferred to another official or employee. Please go to: <http://www.memun.org/TrainingResources/WorkshopsTraining/Cancellations.aspx> to cancel or email: wsreg@memun.org. If you have any questions please contact Louise Ridley at (800) 452-8786 or (207) 623-8428. Please inform us of any special dietary needs or special requirements you may have due to a disability.

Please keep a copy of this form for your records.

PERCworks



Thanks to people like Plant Manager Henry Lang of Lincolntonville.

Hank's been with us for 30 years, thanks to a chance meeting with a fellow Maine Maritime Academy graduate who told him about a new waste-to-energy plant being built in Orrington back in 1988. He's been here since day one and knows every inch of this place and every job in it. He's an innovator and a leader, which is why he commands so much respect from our employees, customers and owners.

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Maine Municipal Association Ethel N. Kelley Memorial Award

...MMA's Most Prestigious Award

NOMINATIONS BEING ACCEPTED

Deadline for Receipt of Nominees – Friday, August 16, 2019 by 12:00 noon.



Ethel N. Kelley devoted 45 years of service to the Maine Municipal Association – from its founding in 1936 until her death in 1981. The award honors her immense contributions to the MMA and the cause of strong local government in Maine. Some have described her as the “cement” that held the organization together, particularly during World War II. During those years, she served in many capacities. She virtually held every title and did every job in the Association.

In celebration of MMA's 50th Anniversary in 1986, the Association honored Ethel N. Kelley's memory by recognizing other volunteer or employed municipal officials of the same character and dedication. This year MMA will recognize its 34th Recipient!

CRITERIA: Do you know an individual in your municipality who...

- ★ *Is dedicated to the cause of good local government.*
- ★ *Has conscientiously served local government and made this a lifetime achievement for 20 years or more.*
- ★ *Has demonstrated the capability and willingness to “Hold the Community Together.”*
- ★ *Has a selfless concern for others in their community.*
- ★ *Has not received full recognition for their service in local government.*
- ★ *Is currently serving or has retired in the past two years (may be given posthumously if within the past two years).*

MMA wants to hear about this special individual! Send your nomination and give MMA the opportunity to recognize their achievement and dedication to local government.

NOMINATION PROCESS: Please forward your Nomination and up to five letters of support from local or state officials, business leaders and/or members of the community. The Nomination Form is available on the reverse side or can be completed interactively on the MMA website at www.memun.org. **The supporting letters are a critical part of the process.** Care should be taken to describe in detail why your Nominee should receive this award and to assure that they highlight the criteria referenced above. Please give examples of your Nominee's efforts.

SELECTION PANEL: The Award Selection Panel will consist of three MMA Past Presidents who will meet in mid to late September to make their selection.

PRESENTATION: The Award will be presented at the MMA Annual Convention during the Awards Luncheon with the Recipient's family and friends, coworkers and the statewide municipal family present. The MMA Awards Luncheon is scheduled for **Wednesday, October 2, 2019 at 12:00 p.m. at the Cross Insurance Center, in Bangor.**

For more information, please contact Theresa Chavarie, MMA Manager of Members Relations at 1-800-452-8786 ext. 2211 or by e-mail at tchavarie@memun.org



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LOCAL GOVERNMENT
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Maine Municipal Association Ethel N. Kelley Memorial Award

NOMINATION FORM

****** Due Date – Friday, August 16, 2019 by 12:00 noon ******
(Please complete all applicable sections)

Nominee's Name: _____

Municipality Served: _____

LIST MUNICIPAL ELECTED/APPOINTED POSITIONS (Please include services provided to any municipality):

Position(s): _____ Municipality: _____ Length of Service: _____

Position(s): _____ Municipality: _____ Length of Service: _____

Position(s): _____ Municipality: _____ Length of Service: _____

LIST MUNICIPAL VOLUNTEER POSITIONS (Please include services provided to any municipality):

Position(s): _____ Municipality: _____ Length of Service: _____

Position(s): _____ Municipality: _____ Length of Service: _____

Position(s): _____ Municipality: _____ Length of Service: _____

Please Include Total Number of Years Dedicated to Municipal Service: _____

Membership in Professional Associations:

Recognitions Received:

Is the Nominee Retired from His/Her Municipal Positions/Career?

YES (When did Nominee retire?) ___/___/___ NO (Anticipated retirement date?) ___/___/___

Is the Nominee Retired from His/Her Non Municipal Work Career?

YES NO

Is the Nominee deceased and being considered posthumously? YES

Nominated by:

Name: _____

Title: _____

Municipality: _____ **Date:** _____

Name: _____

Title: _____

Municipality: _____ **Date:** _____

Please complete and return with up to **(5) supporting letters**. ***The supporting letters are critical to your success.*** Care should be taken to describe in detail why your nominee should receive MMA's most prestigious award. Send completed Nomination Form and letters by **12:00 noon on Friday, August 16, 2019** to:

MMA Ethel N. Kelley Memorial Award – Selection Panel
Maine Municipal Association, 60 Community Drive, Augusta, ME 04330

PEOPLE



David Morton

Former Stockton Springs Town Manager **Courtney O'Donnell** has been hired to replace long-time Casco manager **David Morton**, who has managed the town for 42 years. Morton remembers vacuuing the town

office and picking up dead animals from the roads when he first came to town – at the age of 22. He has shepherded the town through decades of complicated changes, and has earned the respect of scores of selectmen and selectwomen over the years. While Morton was still attending the now-University of Southern Maine, he worked in the assessor's office for the Town of Gorham. He was hired in Casco before he graduated.

O'Donnell, meanwhile, was scheduled to start her new job on July 8. She was the first choice of the Select Board, who liked her spunk, work ethic and experience. O'Donnell managed Stockton Springs since February 2017 and previously worked in the Bangor city manager's office. O'Donnell, who will marry in August, said she will commute until she and her fiancé can find a home to buy in Casco. A Houlton native, O'Donnell holds a bachelor's degree in public administration from the University of Maine and a master's degree in organizational management from Husson University.

Meanwhile, the Stockton Springs Select Board has hired **Jennifer King** to replace O'Donnell. King was expected to begin her new job on July 1, after being introduced at the June annual town meeting. King also worked for the City of Bangor, beginning in March 2012. The first four years she worked as secretary and bookkeeper for the Code Enforcement Division and then as coordinator for the community and economic development office.

Kristen Dow has been named director of the City of Portland's Health and Human Services Department. Dow has served in the position as interim director following the resignation of **Dawn Stiles** last February. She has worked for the city for 11 years and was chosen for her expertise and leadership skills. Dow served



Kristen Dow

as the city's Chronic Disease Prevention and India Street Clinic Program Manager within the Public Health Division for the last three years. She earned a bachelor's degree in business administration from St. Michael's

College in Vermont, and a master's degree in public health from the University of Maine's Muskie School of Public Service.



James Goodson III

The Town of Castine said goodbye to one manager and welcomed his replacement in June. After five years, **James "Jimmy" Goodson III** will retire this month, after spending a few weeks helping new

manager **Sean Blodgett** get settled into the famed marine town. Goodson decided to retire while hiking last summer at Acadia National Park with a cousin who had just retired. Goodson said he realized he wanted to be able to hike and enjoy his boat while he was still young enough to do it. He took over as manager in 2014, replacing **Dale Albernethy**. An Alabama citizen until taking the job, Goodson said he became enamored with Castine when he began summering on the peninsula in 1991.

Blodgett and his family, meanwhile, are excited to make the move to Castine from Colorado Springs, Colo. Retired from the U.S. Marine Corps, Blodgett won't need to look far for a reminder of earlier years: the Maine Maritime Academy can be seen

nearly everywhere from the downtown. Blodgett said he and his wife started looking into opportunities in Maine in 2014. They vacationed in the Belfast area and loved it. When the Castine job opened, he was quick to apply – Castine is across from the Belfast Bay. According to outgoing manager Goodson, the entire Castine Town Office staff agreed that Blodgett was the right person for the job.

Marti Gross, treasurer for the towns of Vienna and Mount Vernon, died May 19 at the age of 72 after a short illness. Town officials were shocked and saddened. She worked until her sudden death. Officials lauded her professionalism and spirit, and said she would be deeply missed by her colleagues and the public. A Massachusetts native, she lived in both towns over the years, most recently in Mount Vernon. Gross loved her work and had volunteered for various events and organizations her entire life. She worked for most of her career as administrator of her late husband's dental practice. The Vienna Select Board chairwoman has announced that **Kerry Casey** has been named to complete the remainder of Gross's term on June 30, 2020. Mount Vernon will name its own interim treasurer. Officials said they will ensure that in the future, the towns also employ a deputy treasurer.

Michael Henderson has been named Dresden administrative assistant and treasurer following the recent reorganization of the town office staff by the Select Board. Previously, Henderson worked as deputy tax collector and health officer. Also, officials announced the hiring of **Susan Carver** of Richmond as town clerk, who has worked most recently for a lawyer's office. She replaces **Shirley Storkson**, who resigned last month. ■

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STATEWIDE

The U.S. Environmental Protection Agency announced in June that 14 sites in Maine qualified to share \$6 million in Brownfields grants for assessment, technical assistance and cleanup of some of the sites. The winners included: the City of Belfast, \$300,000 for city-wide assessment; City of Lewiston, \$500,000 for cleanup of hazardous materials at one of the Bates mill buildings; Town of Lincoln, two grants totaling \$650,000 for a community-wide assessment and for the former Lincoln Mill site; City of Old Town, \$300,000 for 15 site assessments and development of seven cleanup plans; City of Sanford, \$800,000 for 11 site assessments for hazardous waste in the Energy Redevelopment Corridor and cleanup of one site, including a marketing analysis and site reuse plan; and, City of South Portland, \$300,000 for a community-wide assessment, including 15 targeted site assessments and preparation for eight cleanup plans. Other grants were awarded to: The Children's Museum in Portland; the Maine Port Authority, and, the Portland and South Portland housing authorities, among others.

BANGOR

The city council has passed a \$104.4 million budget that excludes an earlier proposal to buy body cameras for the Bangor police force at a cost of \$175,000. Some officials were concerned with the money, but also privacy issues that might be associated with the cameras. The city's new budget increases the property tax just 0.2%, or a few dollars a year more on a house valued at \$151,000. While councilors were happy that Municipal Revenue Sharing (MRS) will increase from 2 to 3.75% over the new two-year state budget, one councilor voted against the budget and urged others to do the same until the state restores MRS to the full 5% required by law.

GORHAM

The town council in June passed a 180-day moratorium on boarding homes after residents learned about a "sober house," where former inmates who are recovering from addiction could live until they can make permanent arrangements. The moratorium passed on a 7-0 council vote. It will not affect the "Courage House" open-

NEW ON THE WEB www.memun.org

Highlights of what's been added at www.memun.org since the last edition of the Maine Town & City.

Portland and Asylum Seekers. The City of Portland is welcoming municipal help as it finds housing assistance, emergency shelter and other necessary services for a recent influx of people seeking asylum.

Fly the Bicentennial Flag. The Maine Bicentennial Commission (Maine 200) encourages towns and cities to join the 2020 fun by acquiring Bicentennial flags and raising them on July 26.

Senior Tax Lien Notices. The Maine Municipal Association's Legal Services Department issued a new bulletin, particularly useful for tax collectors, to help stem confusion over 30-day demand notices altered by the state's recent law change regarding senior citizens and tax liens.

Marijuana Update. MMA's State & Federal Relations Department published a thorough update on proposed state rules, legislation and a list of "opt-in" municipalities regarding adult use marijuana businesses.

ing, since federal and state laws would prohibit a municipality from trying to regulate the facility. But the moratorium will give town staff to review and make suggestions on incorporating additional standards for boarding homes, recovery house and related operations. One resident thought the boarding or recovery homes should be regulated like fraternity houses, while a developer argued that a boarding or recovering home "can't be worse than a fraternity."

NEW GLOUCESTER

Special town meeting voters on June 19 rejected a tax-relief program to help residents over age 70 whose income is \$40,000 or below and have lived in town for at least a decade. The measure failed on a vote of 25-21, with opponents arguing that while they want to help the poor, if someone is living in a home they cannot afford, they should downsize. One woman nearing 80 told the meeting she lies awake at night wondering how she will pay her taxes. Others said the proposed ordinance needs to be re-written. Voters also rejected a proposed public safety ordinance that would have combined the fire and rescue departments.

PORTLAND

The city took in nearly 300 African refugees in June, housing them temporarily in the Expo building, while neighbor South Portland offered to help house some of the people fleeing violence in the Congo.

The refugees told officials how grateful they were for the shelter and help, but some people in Greater Portland preferred they had not come to Maine. Westbrook residents indicated they also are willing to help, as long as taxes do not increase as a result.

PRESQUE ISLE

The city's only homeless shelter will be open to anyone, effective on July 1, rather than only families. Until the recent change, the shelter could only help about one in three people who asked for help. The shelter will now be known as a "low barrier" facility, which means the threshold for being allowed in has been reduced in order to serve single or other non-family occupants. In the second phase of the change, in the fall, the shelter plans to add 10 beds in an upstairs section of the shelter.

YORK

As more sharks are being sighted off the Gulf of Maine and Eastern Seaboard, town officials are cautioning swimmers, surfers and boaters to beware and be careful. The warming Gulf waters are bringing often-large sharks to Maine shores, including one that measured more than 20 feet long in June. Ocean researchers said five great white sharks were seen off the Old Orchard Beach last summer, but that York-area swimmers should not worry about a recently spotted basking shark, saying it was not dangerous since it has no teeth. ■

MUNICIPAL BULLETIN BOARD

SPECIAL SESSION!

Aug. 21

MMA Legal Update on Marijuana: Saco

Staff from Maine Municipal Association's Legal Services and State & Federal Relations departments will provide a valuable update on the status of legal marijuana use in Maine, a public and regulatory issue that is still evolving. Cost is \$45 for MMA members and \$90 for non-members.

IMPORTANT NOTE: This workshop will not provide criminal investigatory or arrest advice for police. The class is designed to update municipal leaders and department heads about commercial, retail and medical marijuana establishments in their communities.

Aug. 28

Elected Officials Workshop: Jay

Attorneys and staff from MMA's Legal Services and Communication & Educational Services departments will lead a workshop for Elected Officials on Aug. 28 at LaFleur's Restaurant on Main Street in Jay. The evening workshop begins with registration at 4 p.m. and ends at 8:30 p.m., including a light dinner. Officials who attend will receive a certificate showing they have met the state's Freedom of Access training requirement.

The workshop is designed for newly elected officials, but veteran councilors and select board members will benefit from the refresher and legal updates as well. Topics include: open meeting and records; roles and responsibilities; effective communication; media relations; and, conflicts of interest, among others. Cost for the workshop is \$55 for MMA members and \$110 for non-members.

Sept. 3, 4

Voter Registration, State Elections: Presque Isle

Northern Maine Community College in Presque Isle is the site for two days, as the Maine Town and City Clerks' Association holds training sessions on voter registration and state elections (Title 21-A). Presenters will be Waterville City Clerk Patti Dubois and Julie Flynn, Maine's Deputy Secretary of State.

The first day session starts with registration at 8:30 a.m. The second day

does as well, and runs through 4 p.m. Attendees can attend a single day or both days. Clerks who are new to the voter registration process and how to conduct elections are strongly encouraged to attend. Each participant should bring a copy of the "Voter Registration and Elections Manual" with them to the workshops.

Sept. 5

Payroll Law: Waterville

The Maine Municipal Tax Collectors' and Treasurers' Association will hold a workshop on payroll law at the Waterville Elks Banquet and Conference Center, starting with registration at 8:30 a.m. Presenters will be Ann Freeman and Steven Gerlach, attorneys with Bernstein Shur.

The workshop will cover: FICA and Medicare questions, continuing employment exemption, tax treatment of emergency firefighters, fringe benefits, employees vs. independent contractors – and more. Cost is \$55 for MMTCTA members and \$85 for non-members.

Sept. 12

Planning Boards/BOA: Orono

An attorney from MMA's Legal Services Department and Kristin Collins, attorney with Preti Flaherty in Augusta, will host a session for local Planning Board and land use Boards of Appeal members from 4 p.m. to 8:30 p.m. on Sept. 12 at the Black Bear Inn and Conference Center in Orono.

The workshop is designed as an introduction for new or less experienced members, but veteran board members may find an update useful as well. Among the topics to be covered: jurisdictional issues; public notice requirements; site visits; procedure for

decisions; and, variances. The cost is \$55 for MMA members and \$110 for non-members.

Sept. 17

Labor & Employment Law: Portland

If you manage municipal personnel – as a manager, department supervisor or elected official – this workshop is a must for up-to-date information about legal and practical approaches to personnel situations. Attorneys Linda McGill, Ann Freeman, Glenn Israel and Matt Tarasevich, from the law firm Bernstein Shur, and MMA's David Barrett, head of Personnel Services & Labor Relations, will lead the workshop.

It will be held at the Clarion Hotel in Portland, starting with registration at 8:30 a.m. It will conclude at 2:30 p.m. Cost for the session is \$75 for MMA members and \$150 for non-members.

Oct. 15

Roles of Elected Officials & Managers: Bridgton

This workshop is geared for councilors, select board members, managers and administrators who work with the manager/administrator form of government and want to learn more about roles and responsibilities. It is led by: Don Gerrish, former veteran municipal manager and consultant with Eaton Peabody; Pam Plumb, former Mayor of Portland and co-founder of Great Meetings! Inc.; and, David Barrett, director of Personnel Services and Labor Relations at MMA.

The evening workshop, to be held at Bridgton Town Hall, begins with registration at 4 p.m. It runs through 8:30 p.m. Cost is \$55 for MMA members and \$110 for non-members. ■

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LEGAL NOTES

Maine's New Plastic Bag Ban

Maine has now joined three other states (California, Hawaii, and New York) in banning most retailers statewide from giving customers single-use carry-out plastic shopping bags. The law was enacted to reduce plastic pollution in the environment, especially the oceans.

The new law exempts certain types of single-use plastic bags, such as dry cleaning bags, vehicle tire bags, and bags for loose items like fruits, vegetables, nuts, and so on. Retailers also have the option of providing recycled paper bags or reusable plastic bags as long as they charge at least 5¢ per bag, which is retained by the retailer.

The impetus for the new law, at least in part, was the rapidly growing number of Maine towns and cities that have adopted local plastic bag bans. We wrote about this development last year (see "Plastic Bag Ordinances," *Maine Town & City*, Legal Notes, July 2018). At last count, there were 24 different municipal ordinances in Maine.

Many larger Maine retailers joined environmental groups in supporting a single statewide law in lieu of a patchwork of local regulations. Not surprisingly, the new law expressly preempts municipal ordinances regulating single-use carry-out plastic bags at retail establishments.

The new law (PL 2019, c. 346) can be found at 38 M.R.S. § 1611. It takes effect on April 22, 2020. (By R.P.F.)

Property Tax Info Online

We've gotten several questions lately about posting property tax information (tax maps, property cards, commitment lists, etc.) on municipal websites. Is this legal? Is it required? Are there any restrictions? Can taxpayers opt out? So let's address them, starting with the following premise:

The vast majority of property tax records are public records (see 36 M.R.S. § 191(2)(I)). Under Maine's Freedom of Access Act they are accessible by the general public on the same terms as any other public record (see 1 M.R.S. § 408-A). While there is no legal obligation to publish any property tax information on a municipality's website, it is certainly not illegal to do so, and many, many municipalities in Maine do – for the convenience of municipal staff as well

MUNICIPAL CALENDAR

BY AUGUST 1 — Local Roads Assistance Program (LRAP) certification forms must be returned to MaineDOT Community Services Division prior to August 1st. This is an annual certification that must be completed by a municipality to receive URIP funds. Effective July 1, 2008, there is a requirement for municipalities to provide information on how the previous fiscal year's funds were expended.

ON OR BEFORE AUGUST 15 — Monthly/Quarterly expenditure statement and claim for General Assistance reimbursement to be sent to Department of Human Services, General Assistance Unit, DHS #11, Augusta, ME 04333 (22 MRSA §4311).

BETWEEN MAY 1 AND OCTOBER 1 — Municipal officers may initiate process to close certain ways during winter months (23 MRSA §2953). For further information, see the MMA Municipal Roads Manual.

BY SEPTEMBER 1 — Clerks of organized plantations shall make return to the Secretary of State, on blanks furnished by him for that purpose, of the names of the assessors and clerks of their plantation and that the same have been sworn. There is a penalty for failure to make such a return (30-A MRSA §7005). ■

as those seeking free and immediate access to this information.

There are a few property tax-related records that are confidential, including, for example, poverty abatement records, proprietary information, and veterans' exemption medical records, but this is not the type of information legitimate website visitors want anyway (see "Property Tax Records – What's Confidential?," *Maine Townsman*, Legal Notes, October 2016).

If a municipality chooses to post its public property tax information online, there are no legal parameters on how much can be posted or in what format. For instance, tax maps and commitment lists could be posted but not property cards (which contain detailed information on each property, often including photos, floor plans, and so forth). Or tax maps and commitment lists could be posted but in a non-searchable format (which significantly limits the information's value). For convenience and in the interest of full disclosure, we generally favor more, not less, public information online and in the most user-friendly format possible.

A municipality could allow a taxpayer to opt out of an online property tax database, but a taxpayer has no independent legal right to do so, and we know of no municipalities that do allow it, probably because this information is public anyway and customizing a data-

base per individual whim could impose a substantial maintenance burden on IT staff.

There could be other questions out there about posting property tax information online, but we haven't gotten them yet. If and when we do, we'll update readers here. (By R.P.F.)

Choosing a Chairman

We wrote recently that the most important role (and in many cases the only official one) of a municipal board chairman or chairwoman is to preside over board meetings (see "The Role of Chairman," *Maine Town & City*, Legal Notes, May 2019). (As we noted then, the *Associated Press Stylebook* advises that "chairperson" or "chair" should not be used unless it is the official title, so again we will simply use "chairman.") Just as important, though, is choosing the *right* chairman.

A charter or ordinance may designate a different method of choosing a chairman, but in most instances a chairman is annually elected by the board itself from among its own members. Boards, especially of more than three members, should choose a vice-chairman as well, to serve whenever the chairman is absent or disqualified.

However a chairman is chosen, ideally he or she should be well-organized, fair-minded, even-tempered, and attentive to details. He or she should also be a

LEGAL NOTES

good listener as well as a good spokesman and should have a competent grasp of basic parliamentary procedure and applicable laws. These qualities will go a long way toward ensuring orderly and productive board meetings.

One good way for a new chairman to get some "training" is simply to observe a meeting of another board presided over by an experienced and well-regarded chairman. MMA also offers a once-a-year workshop on "How to Lead Effective Meetings" (check MMA's training calendar for the date). Finally, for some good, practical advice, see the feature article "Tips for Meeting Chairs" in the November 2004 *Maine Townsman*. (By R.P.F.)

Emergency Meeting Notice

Maine's Freedom of Access Act (FOAA) or "Right to Know" law requires prior public notice of all "public proceedings" or meetings of a board or body consisting of three or more members (see 1 M.R.S.A. § 406). Ordinarily this notice must be given in ample time to allow public attendance and in a manner reasonably calculated to notify the general public. But what about those times when a board absolutely *must* meet sooner than normal notice can be given – to address an emergency?

The FOAA does not define "emergency meeting," but in our view it means any meeting where, by virtue of unforeseeable circumstances, a board is required to act before its customary public notice can be given (which should be a rare exception). In this case, the law requires that local representatives of the media be notified of the meeting, whenever practical, by the same or faster means as used to notify board members. This is the only prior notice required in the event of an emergency meeting. We recommend email notice if at all possible, as this provides proof that the media were in fact notified as required.

Note that the FOAA's purpose in requiring media notice is *not* so the media can notify the public – it is so the media can send a reporter to cover the emergency meeting and report on it afterward if they wish. But our law was written well before the internet, and with almost all media now maintaining their own websites, it may be possible

for them to post public notice of an emergency board meeting even if only a few days or hours beforehand. Many municipalities also maintain their own websites, and notice of an emergency meeting can be posted there too – again, even if only a few days or hours in advance. (By R.P.F.)

Remote Participation in Meetings Rejected, Again

The Legislature has again rejected a bill that would have authorized members of public bodies, including municipal boards, to participate in meetings remotely via telephone, video, electronic, or similar means. This is the third time in six years that such a measure has failed to become law.

LD 1511 would have allowed remote participation by board members but only under limited circumstances and only after the board's "constituents" (the voters, presumably) have authorized the board to do so and only after the board itself has adopted a remote participation policy. But even so, the proposal proved unpalatable, and lawmakers soundly defeated it.

Some observers detected skepticism and distrust of local boards during the Legislature's deliberations. We can't confirm this, but if true, we think

it is unwarranted. Most local officials are keenly aware of their obligations under Maine's "Right to Know" law and are committed to public transparency. We also think it noteworthy that while no local boards are permitted to use remote participation, there are at least seven state boards that are allowed this privilege.

We have no idea if or when this progressive notion (remote participation, with suitable safeguards to protect public transparency) will resurface as a bill, but for the time being it's safe to say there is no legal authority for members of local boards, elected or appointed, to participate in meetings remotely by any means. (By R.P.F.) ■

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2019 FALL BOND ISSUE SCHEDULE

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

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

Thursday, August 1st
Application Deadline.

Wednesday, August 28th
Application approval (Board Meeting).

Thursday, September 12th
Preliminary opinions and loan agreements due from bond counsel of each borrower.

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

Friday, September 13th
Last date for signing school contracts and rates in place for water districts. PUC approvals due.

Monday, September 30th & Tuesday, October 1st
Maine Municipal Bond Bank Pricing.

Wednesday, October 2nd
Maine Municipal Bond Bank Sale Meeting (Board Meeting).

Wednesday, October 16th
Final documents due from bond counsel.

Wednesday, October 30th
Pre-Closing.

Thursday, October 31st
Closing - Bond Proceeds Available (1:00 PM).

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

If you would like to participate in or have any questions regarding the 2019 Fall Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 or tir@mmbb.com.



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