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of the Maine Municipal Association

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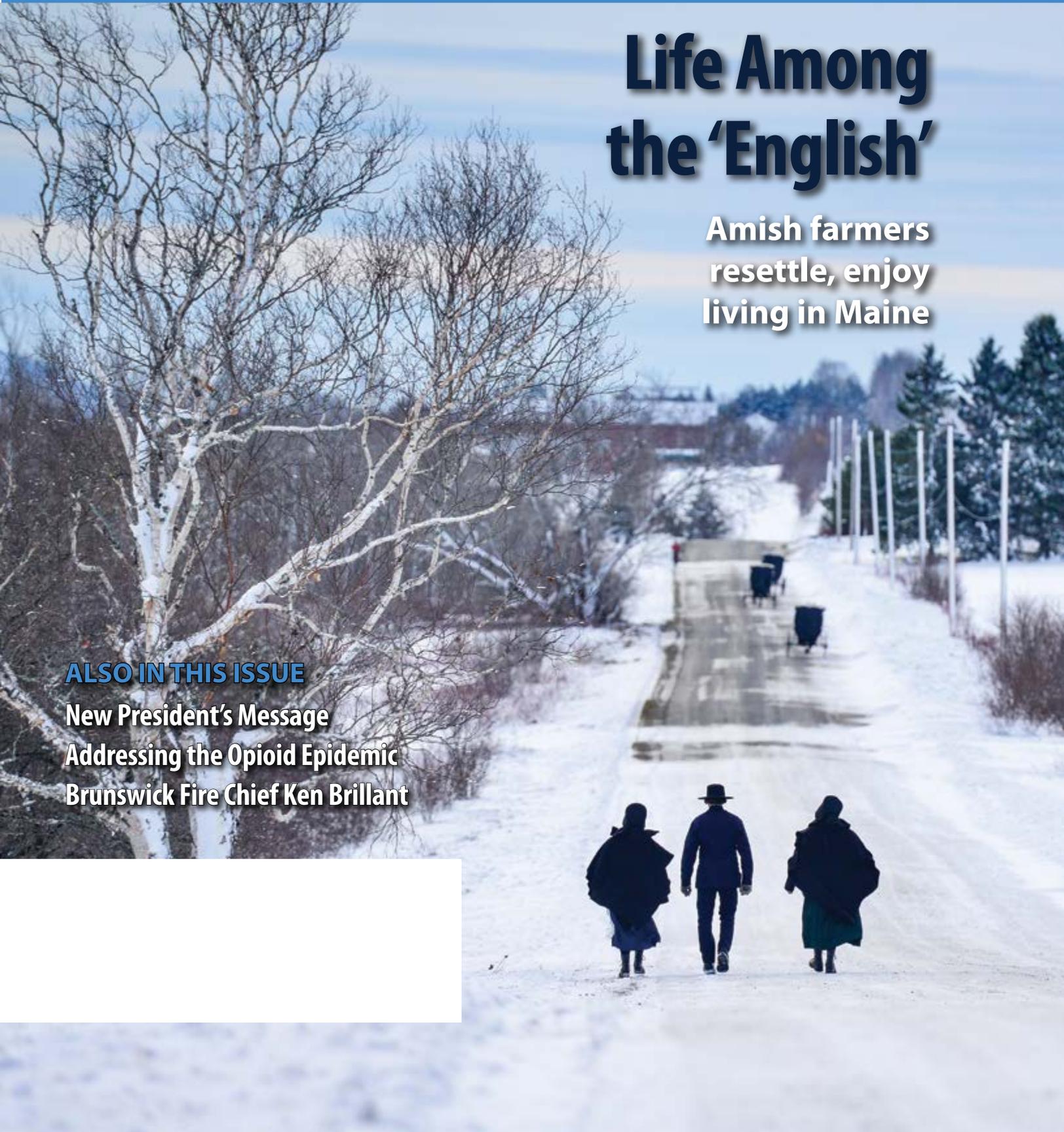
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Addressing the Opioid Epidemic

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Maine Townsman

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The Magazine of the Maine Municipal Association

FEATURED STORY | 11 Needles and Damage Done



Like many states, especially rural ones, Maine is challenged big-time by opioid abuse and overdoses. This National League of Cities' special report offers ways to address the crisis.

New Maine Municipal Association

President Laurie Smith writes that member outreach and municipal succession planning will be priorities for 2017. [Page 5](#)

Our profiles of local officials in their respective roles continues. Featured this month: Brunswick Fire Chief Ken Brilliant. [Page 21](#)

ABOUT THE COVER: Paul Cyr, a gifted photographer from Aroostook County, has developed a passion for photographing Amish life. Note how Paul respects the Amish custom of not showing faces in photos.

Amish Come to Town

Drawn by available land, relatively relaxed municipal/state codes and the lifestyle that we all cherish, Amish farmers become fixtures in rural communities. [Page 7](#)

MMA's 2017 Training Calendar

We will be busy, again! MMA will hold and organize 97 training events throughout the state in 2017. We hope that members take advantage of our expansive program. [Page 27](#)

New Selectman's Thoughts

Bob Neal is no stranger to community service, but now he's a municipal selectman. 'I love talking to people about how this town works,' he says. [Page 23](#)

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A MESSAGE FROM MMA

BY LAURIE SMITH / MMA PRESIDENT

MMA committed to 2017 goals, enhanced outreach

Happy New Year!

There is nothing like a new year to bring hope and a new perspective. Each year brings its own challenges, and 2016 often seemed like an uphill climb in knee deep snow. Personally, I am looking forward to a fresh start, and I'm happy to report that each of us has 365 (minus a few days now) opportunities to make a difference in our communities in 2017. As President of Maine Municipal Association, I plan to make each moment count for our organization and our members.

Our December meeting each year is dedicated to the adoption of the annual budget and the work plan for the coming year. We are fortunate to have a bright, energetic and engaged board whose members pride themselves on setting an ambitious agenda. As part of the budget process we reflect upon our goals and ensure that the budget has the resources necessary to accomplish them. This coming year, we have established several new priorities to include, a Membership Outreach Strategy, Municipal Workforce Support and Development Project and advancement in serving members with new or enhanced services.

The focus of the membership outreach goal is to ensure that our communication line is open with our members. As I noted at the convention in October, we believe that communication is a two-way street. MMA needs to understand the needs and challenges of its members, and our communities need to be aware of programs and services. To that end, our strategy has three components: 1. Strategic field visits by senior staff, targeting municipalities in need or transition. 2. Empowering our field staff by enhancing internal communications and linking them to resources, and 3. Focused resources for regional meetings statewide. Our Manager of Membership Relations, Theresa Chavarie, is coordinating the effort and tracking all

site visits for the Executive Board. Theresa is a tremendous asset to MMA; if you have questions, I encourage you to reach out to her.

One of the more prevalent member issues we have heard as of late is the need for a qualified, trained municipal workforce. As we all know, Maine is an aging state, and both private and public organizations are steeped in succession planning and developing their next generation of employees. As part of the budget process, the board has committed to examining the municipal workforce need and developing a strategy to partner with members in recruiting and training future municipal employees. Furthermore, MMA will be at the table when the leaders of Maine's economy are developing strategies to address Maine's future. As we study and further define the problem, we will identify effective measures to address the issue both in the short and long term.

Each year, staff and the board observe services that have withstood the test of time, and those that may need changes. The Municipal Salary Survey is a perfect example of one that was enhanced in 2016. Although the survey was a perennial favorite among members, the method used to collect the data and produce a tool for members was antiquated. The new survey's data will be more current, allows members to define parameters for analytics and it is easier to update. So far, we have received rave reviews from users. However, we welcome your feedback and ideas for other needed services.

Although the road ahead is uncertain, we begin another journey together. I wish that each of you find the strength to deal with the challenges you may face, a resourceful team to lighten the load, and the hope that tomorrow will be brighter. ■

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Witnessing a trend: Amish drawn by land prices, easier codes

While highway safety is a visible concern, and one dispute is in Superior Court, many local officials say the Amish pay their property taxes and expect little in return.

By Lee Burnett

A new agent of prosperity is popping up in rural Maine wearing funeral colors and driving a horse-drawn buggy.

The Amish have settled in at least six Maine communities – most in Aroostook County – with more on the way. They have engendered complaints about horse manure on the roads and slow-moving buggies. But what you hear more about are the new businesses, the reclaimed farm fields and the vitality they bring to small towns.

This is welcome news to a region accustomed to population declines and farmland abandonment.

“I am absolutely tickled to have them,” said Scott Smith, who manages 6,500 acres of potato fields in Aroostook County for a Canadian company. “They are absolutely no drain on us. They don’t break the law. They contribute to the community and they pay (property) taxes. They don’t even send their kids to school.”

He might add that the Amish don’t vote, either.

Rural Maine’s appeal to the Amish is many fold. Abundant cheap agricultural land and a relative lack of building codes and zoning are factors. So, too, are a supportive agricultural community and respect for their conservative religion, a descendant of the Anabaptist movement of 16th Century Europe. The Amish appreciate being left alone while also being patronized, says a former Amish community member, who tried to explain the ambivalence.

“They don’t like being a tourist attraction,” said Jason Laws, a carpenter



This photo shows traditional Amish barn raising – and a big one. (Photo by Paul Cyr)

and former member of the Smyrna Amish community who now lives apart from the Amish in Amity. Law sympathizes as someone who was himself stared at by strangers while doing outdoor chores. “It was creepy,” he said.

On the other hand, the Amish run retail businesses and realize their lifestyle markets well.

“There’s also a business side to the Amish,” he said.

For example, Law suspects the Amish move from Smyrna to the Unity-Thorndike area – where land is more expensive, but which also is home to Unity College and the Common Ground Fair – was due to the lure of being near locavore customers. “I’m quite sure it was a purposeful thing. They (Unity-Thorndike) are very into their lifestyle.”

The Amish are perhaps best-known for their traffic-stopping feats of community labor, such as the barn raisings that delight passersby fortunate

enough to be in the right place at the right time.

Dismantled by hand

Few stories rival the dismantling of a 50-foot steel tower in a Caribou potato field. The tower had become an albatross to farm manager Scott Smith because, while the tower had been abandoned as an aircraft navigation beacon decades ago, getting clearance from the federal government for its removal by a private contractor proved to be to a bureaucratic nightmare.

The Amish agreed to dismantle it at no charge. The deed was done in two days. “They took it all apart by hand,” Smith marveled, conjuring an image of daredevils on high.

Now reassembled, the tower serves as a windmill-powered water pump at an Amish farm.

Stories about the Amish, like that one, go a long way in easing the introduction of newcomers known for their

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ability to buy large tracts of land with cash.

"I'm not going to paint them as millionaires but there's not a lack of money. They pool their resources," said Laws. Some land purchases in Hodgdon have stirred resentment and whisperings that the Amish "don't pay taxes," a claim that Hodgdon Selectman Joel Duff dismisses as "just people being negative."

Hodgdon selectmen addressed the rumor mongering directly in public statements.

"We put the kybosh to it," said Duff, who relates many stories of Amish goodwill, such as the time they delivered a load of silage as a gift to a

farmer who was outspoken in his anger at having lost leased farmland when it was bought by the Amish.

There have been genuine Old World-New World conflicts. Charcuterie, an Amish artisanal smoked meat shop in Unity, generated a media buzz when it opened early in 2016. Then food inspectors realized the ice-cooled refrigeration might not meet modern food safety standards and presented paperwork requirements that so ruffled owner Matthew Secich that he threatened to close, generating a foodie backlash against Maine Department of Agriculture.

The crisis was averted when Secich set up a temperature monitoring sys-

tem, according to John Bott, spokesman for the department.

"It was a success story," said Bott. "There were some rather complicated federal regulations that we were able to work with them on. Using unconventional (refrigeration) methods required real detailed work make sure comply with food safety while in keeping with their Amish faith."

Slow buggies, fast trucks

The biggest adjustment for host communities may be accommodating 19th Century traffic on 21st Century roads. Route 1A in Easton and Fort Fairfield may be the most dangerous. There, buggies and wagons share a two-lane road with 55 mph traffic, including cars, logging trucks and tractor trailers serving McCain Foods and Huber Engineered Woods.

Add to that an occasional cyclist and Nordic athlete training on roller skis and you have "a major transportation safety problem," in the words of the Easton Comprehensive Plan. The

Are they unique or 'comparable?'

Legal dispute over Amish barns

Should Amish barns get a property tax break because they are products of a premodern society?

That's the unusual question pending before a Superior Court judge in Aroostook County, as a result of a property tax dispute between the Town of Easton and six Amish farmers. The town is defending the fairness of its assessments, but the farmers have successfully prevailed upon Aroostook County Commissioners to reduce their assessments by 25 percent.

The barns are large (sometimes 100 by 300 feet) but they have no electricity or plumbing and some even have dirt floors. Construction costs were low because they were built with donated community labor. "I would not have built if I knew I would be taxed like this," Jonas Gingerich said in a statement to Aroostook County Commissioners on June 22. Gingerich was assessed \$109,442 for a structure that he said was built for \$38,000 worth of materials.

Echoing that sentiment, Enos M. Yoder said his dirt-floor barn, which "can't support any amount of weight," is "assessed like a castle" at \$96,494. He said he built it with \$36,000 in materials.

Easton Town Manager Jim Gardner said the assessments are entirely in line with other Class D barn assessments, which reflect discounts for lacking power and plumbing and for "amateur" construction. He said the town is being charitable to rate the construction amateur because "for amateurs, they're very good carpenters."

Gardner said it is "ridiculous" to account for the cost of construction in assessment value. The only fair way is to value the barns is to rate them like similar structures of comparable size and utility, as determined by recent real estate sales.

"This is how assessing works in the State of Maine," said Gardner. He predicted town offices would be flooded with abatement requests if the commissioners' decision is upheld. "You are going to turn upside down the property tax laws in the State of Maine," he said.

The case may turn on the meaning of "comparable." The Amish argue that "comps" should be thrown out because Amish barns have no resale value on the open market. In the words of farmer Yoder, the barns are "only good for Amish."

Gardner says if that is true, it will eventually be reflected in the market. But until then recent sales of comparable structures must be the basis of assessments. "They (Amish) have only been here for seven years and they haven't sold anything, so they don't have sales ratio," said Gardner.

The commissioners' decision reads in part: "There is no evidence on the record to support the true market value of these properties or similar structures in the community. These structures are unique to the Amish. The pool of potential buyers is practically limited to the Amish."

— Lee Burnett

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road is posted with “Share the Road” signs, and buggies are supposed to have reflectors visible at 200 feet, but accidents have happened.

“We’ve had four buggies hit,” said Easton Town Manager Jim Gardner. “Fort Fairfield had two accidents.”

Gardner is equally alarmed at horse manure on the road, causing hazards for cyclists and walkers. One road in town has been nicknamed “Poop de Chute,” he said. “There’s horse crap everywhere... If someone wanted to start a horse manure fertilizer business, this would be the place you’d want to be.”

Fort Fairfield tried a voluntary approach by putting a shovel and bucket out at hitching posts in town. “We asked them to pick up. It hasn’t really worked,” said Fort Fairfield Town Manager Jim Risner.

Neither Fort Fairfield nor Easton have ordinances about this and Aroostook County Sheriff Darrell Crandall

doubt their effectiveness anyway.

“You can’t really prohibit horse manure on the road unless you pass an ordinance prohibiting any debris. That means if a potato falls off or bark fall off a logging truck, you have to pick up. That’s pretty hard to enforce,” he said.

Buggy accidents are uncommon, Crandall said. “It’s not as bad as you might think. There have been some issues, maybe some crashes where someone should have seen and wasn’t able to stop in time.”

Crandall has been called in to facilitate community dialogue on buggies, which he said is usually prompted by alarm over near-accidents and experiences of suddenly rounding a bend and being on top of a defenseless buggy. The message he likes to leave with people is, “I can assure you they have no more interest in getting run over than you do in running them over.”

The Town of Easton plans to grade

wider shoulders on Route 1A and plans to push Maine’s Department of Transportation to pave the shoulders, Gardner said.

How communities manage the Amish as a tourism attraction may become an emerging issue.

So far, tourism promotion is being done with a light touch. Bike Aroostook once changed the date of a ride so riders could stop at an Amish store, according to organizer Bill Flagg. A non-Amish fan has started a Facebook page to promote Pioneer Place, an Amish general store in Smyrna, which Selectman Perry Lily says “brings a lot of people to town” from as far away as Fredericton, New Brunswick, Canada.

The Fort Fairfield Chamber of Commerce and Fort Fairfield town government have teamed up to publish a map for visitors of cooperating local Amish businesses, but the tone is low key. “We ask that you please be respectful of the privacy of our Amish

AMISH COMMUNITIES IN MAINE

Town	Date of Arrival	Origin	Size of Community	Businesses
Smyrna	1996, affiliated with Old Order Amish 2000	Tennessee	20 families	Sturdi-Bilt Storage Sheds Pioneer Place store Merri Gold Greenhouse Snow and Nealley axes Kauffman Metals Mt Timoney Cycle Center Cedar Meadow Harness Shop
Fort Fairfield-Easton	2007	Heuvelton, NY and Ohio, Iowa, Missouri	20 families	Center Bakery E-N-R Stainless Gingerich Woodworks Handcrafted Quality Furniture Harness and Tack Repair J & J Cabins and Mini Barns Kinney Hill Repair Maple Grove Woodworking Miller Metal Sales Watch and Clock Repair
Unity-Thorndike	2008	Missouri, Kentucky and Smyrna	15-20 families	Living Grains Bakery Community Store Locust Grove Woodworks Last Stop Wood Shop Charcuterie
Sherman-Island Falls	2012		20 families	Susan’s Pantry and Salvage Auctioneers David and Nathaniel Burkholder
East Hodgdon	2012	Tennessee	Ten families	Stephen Petre organic dairy Steve Wolf organic dairy
Patten	2011	Ohio	23 families	Mountain Glory Farm

neighbors and mindful of their desire not to have pictures taken without seeking permission," said the text on the website, which also contains some stunning photographs by Paul Cyr (who took the photo on this month's Maine Townsman cover).

But, how long can low-key promotion last when the subjects are so photogenic?

Amish recruiters

Clearly, communities are enjoying a bounce from their Amish neighbors. The impact may still be too small to show up in economic statistics, but that could change, particularly if more people act like Robin and Pat Chase, dairy and beef farmers in the mid-coast. Think of them as Amish recruiters.

The Chases, who live in Whitefield, got word from their hay supplier in Fort Fairfield that a group from New York wanted to start a new community in Maine, maybe in the Monmouth-

Leeds area, explained Robin Chase.

"We invited them here while they looked," she said.

The Chases had a personal interest in recruiting the Amish. They are nearing retirement with no obvious farming heirs among their children. But they were also convinced that Whitefield would be a good fit because of a concentration of young and old farmers, captured in a *Down East* magazine headline: "Farming isn't making a comeback on Whitefield's Townhouse Road. It never went away."

Last April, the Chases hosted a group of 15 Amish from New York State. That led to repeat visits – 75 in all. By November, the Amish were pouring a foundation. In the spring, three Amish families will move to Whitefield for good.

Robin Chase, who is still looking for a farm buyer, says she's happy that the town's agricultural base is growing and hopeful the Amish work ethic and slower pace of life will rub off.

"We don't stop and smell the roses as much as they do," she said. ■

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Leading in a crisis: NLC asks local officials to address opioids

All across both rural and urban America, addiction to opioids is a national epidemic. The National League of Cities recently issued a special report on the problem.

In early 2016, the Massachusetts Municipal Association published a report for local leaders on the opioid crisis aptly titled “An Obligation to Lead.” The opioid epidemic, wrote the association, “presents more than an opportunity,” and is a “moral duty that all of us who are privileged to serve in local government must embrace fully.”

The National League of cities wholeheartedly echoes those sentiments and calls on municipal and county leaders to assume leadership roles in local efforts to reverse the trends of the opioid epidemic. It has become apparent that this epidemic can ravage any community in the nation regardless of its size or composition. In the face of such a threat, which has taken far too many lives and torn apart countless families, local officials must lead with energy, urgency and compassion.

There is much to be accomplished in reversing the opioid epidemic, and few are better positioned to carry out this work.

Set the tone

As local government officials, we are privileged to speak to our constituents with the authority and legitimacy that comes with public office and the trust and empathy derived from living daily in the communities we serve. From this invaluable position, we must set the tone in conversations about opioids by breaking the silence and speaking candidly and compassionately about the crisis in our cities and counties.

However, we must also highlight and uplift local efforts to prevent further abuse of opioids and the over-

ABOUT THIS ARTICLE

This article is part of a special report produced by the National League of Cities on the nation’s problem with opioid abuse. The views presented do not necessarily reflect the views of Maine Municipal Association. The article is reprinted with permission. To read the entire report, go visit its website at: <http://www.nlc.org/build-skills-and-networks/resources/addressing-the-opioid-epidemic>

doses and deaths that result from such abuse. In short, we must define our local struggles with the opioid crisis so that those struggles do not define our cities and counties.

By setting a constructive and compassionate tone in conversations on opioid abuse, we can achieve the imperative of chipping away at the stigma of opioid addiction. Stigma can prevent parents and teachers from speaking with children about the dangers of opioids, prevent individuals struggling with opioid addiction from seeking the treatments they need and prevent cities and counties from providing these treatments. As local leaders, we must normalize conversations about addiction and its treatment to empower individuals, families and governments to take actions needed to address the opioid crisis, without fear of the stigma that such actions may bring.

Convene community leaders

It is imperative that local govern-

Collaboration Corner is a regular feature in the Maine Townsman, highlighting ways that municipalities work together to become more efficient and better serve citizens.

ment officials be in regular contact with community leaders who work with populations affected by the opioid crisis and who are thus well positioned to contribute to effective local responses. City and county leaders should form or join local task forces of leaders from various sectors of local government and across the community to assess the causes and impacts of opioid abuse and the solutions needed to decrease rates of abuse. Elected officials, health officials – including behavioral health and substance abuse directors – judges, prosecutors, public defenders and law enforcement officials, among others, should be involved in the task forces. Joining them should be education officials, representatives from local medical societies, directors of treatment facilities, parent advocates and faith leaders.

The Community Anti-Drug Coalitions of America (CADCA) helps to establish or strengthen local coalitions to create and maintain safe, healthy and drug-free communities. CADCA can point to community coalitions in an area or walk local government officials through the process of starting a coalition. The organization also offers a variety of resources for local coalitions, including technical assistance and training and media and marketing strategies.

Foster regional cooperation

Just as it is imperative that local government officials establish regular communication with leaders in the community, it is also vital to establish or strengthen lines of communication with neighboring governments. Although the causes and impacts of the opioid

crisis may differ in neighboring communities, solutions are more effective when coordinated among the various governments within a region. Regional cooperation is perhaps most important in law enforcement, given that drug trafficking often cuts across local lines.

In northern Kentucky, the counties of Boone, Campbell and Kenton and the city of Bellevue have formed a regional task force that enables their law enforcement departments to work cooperatively in drug enforcement. Whether through formal task forces like northern Kentucky's or through less formal regular meetings, regional cooperation should not be overlooked.

Educate and advocate

Although we firmly believe that the opioid crisis must be confronted and addressed locally, we are also cognizant that many important decisions that affect this crisis are made at the state and federal levels. City and county officials should educate their state and federal counterparts on the effects of the opioid crisis on local communities and advocate for actions from those levels of governments that can help reverse trends of opioid misuse. State and national membership organizations, like the National League of Cities and the National Association of Counties and their sister organizations in states, are well positioned to assist local officials with state and federal advocacy.

Communities of color continue to feel the detrimental effects of the criminalization of addiction, which today is being replaced by a new focus on harm reduction and improved public health. Moving forward, we must give ongoing attention and action to the racial disparities relevant to addiction and to its treatment. Both the National League of Cities and the National Association of Counties should continue programs of research, information sharing, educational programming, advocacy and technical assistance in the fields of addiction and addiction treatment beyond the duration of this task force.

Prevention and education

It is said that an ounce of prevention is worth a pound of cure, and this certainly applies to our efforts to fight the opioid crisis. Given the staggering number of overdoses and deaths from the opioid crisis, a heavy focus is placed,

with good reason, on treatment. But that focus and urgency should not diminish our determination to prevent others from becoming addicted in the first place. Preventing individuals from abusing and becoming dependent on opioids will save lives, preserve the health and vibrancy of our communities and result in significant fiscal savings for local governments, many of which are struggling to fund addiction treatments. By approaching prevention and education efforts with the same urgency and determination with which we work to reverse overdoses and arrest drug traffickers, we can begin to create the cultural transformation needed to free our communities from the grip of the opioid crisis.

As local elected leaders, we are uniquely positioned to spread information about the dangers of prescription painkillers and the lethality of heroin and other illicit opioids. From traditional forms of communication, like town hall meetings and pamphlets, to newer forms, like Facebook and Twitter, we have numerous platforms through which to communicate with our constituents. We must fully use these platforms to increase public awareness about the dangers of opioids, and we must be thoughtful and creative in crafting our messaging.

Further, we must actively look for new opportunities to communicate with constituents, especially those who may be at greater risk of opioid abuse and addiction. The Ocean County, N.J., prosecutor's office has done this through its "funeral cards," which contain information about the dangers of prescription painkillers alongside instructions for proper disposal of remaining prescriptions. The prosecutor's office gives these cards to funeral directors, who then hand them out to families of deceased individuals.

Reach children early

Children should be educated at the earliest possible age about the dangers of prescription painkillers and illicit opioids. Classrooms provide an excellent opportunity to do so. The National Institute on Drug Abuse offers free resources for teachers, including lesson plans, activity finders and student-targeted pamphlets that answer questions like: How do opioids work? How do people get addicted to opioids? Out-of-

school recreation programs also provide valuable opportunities to engage children and youth on these topics.

Local elected officials should also call on each parent in the community to speak regularly with their children about the dangers of prescription and illicit opioids. According to the Red Ribbon Campaign, an initiative of the National Family Partnership that asks parents to pledge to educate their children about drug abuse, children of parents who speak with their teens regularly about drugs are 42 percent less likely to use drugs than those whose parents do not, yet only one-fourth of teens report having these conversations.

Students in health-related undergraduate and graduate programs, in addition to those in medical, pharmacy, nursing and dental schools, should receive appropriate training on pain management and substance use disorders. City and county leaders should assess the extent to which this training is provided in educational institutions within their jurisdiction and use their positions as elected leaders to advocate for greater training where needed.

Although the importance of opioid prescription training for medical and dental students is self-evident and overarching, local leaders should also advocate for drug abuse intervention training for all students in health-related fields. The Screening, Brief Intervention and Referral to Treatment (SBIRT) program is an evidence-based approach endorsed by the Substance Abuse and Mental Health Services Administration (SAMHSA). It promotes universal screening of all individuals to identify use, early risks and abuse in order to intervene appropriately. Basic SBIRT training is available via a free app developed at the Baylor College of Medicine.

Embrace data and technology

Local leaders must recognize the potential of data and technology to advance efforts in fighting the opioid crisis. When properly collected and analyzed, data can help cities and counties better understand the causes of opioid abuse in communities and fine-tune their responses.

Data related to overdoses and deaths, for example, can help local leaders focus public awareness efforts on neighborhoods facing greater rates of opioid-related harm.

City and county leaders should assess where data is being collected within local government and to what extent it is being shared between different departments and local, regional and state governments.

In addition, city and county leaders should advocate for greater data collection and use of data and technology. Coroners should list with specificity the drugs that caused opioid-related deaths so public health and law enforcement officials can adjust responses accordingly.

Administration of the overdose antagonist naloxone should be tracked closely to better target overdose prevention and treatment efforts. Mapping technology can also provide information to individuals about resources such as safe disposal locations, pharmacies that dispense naloxone and facilities that offer treatment services.

Disposal sites, take-back days

Cities and counties must ensure that there are a sufficient number of accessible, safe disposal sites within their jurisdiction so members of the community can dispose of unneeded opioids. Local pharmacies, physicians and law enforcement can serve as important partners in efforts to provide and promote safe and convenient disposal sites. Information about these sites should be widely shared through traditional and web-based forms of communication.

Cities and counties should host periodic drug take-back days so community members can dispose of unneeded opioids at a convenient location while also creating public awareness about the dangers of prescription drugs. The Drug Enforcement Administration (DEA) partners with local communities across the country to host national take-back days. On April 30, 2016, Franklin County, Ohio, collected 4,000 pounds of prescription drugs, and the DEA reported that 447 tons were collected overall throughout the country.

Expanding treatment

As society has embraced the need to medically treat addiction rather than incarcerate those with a substance use disorder convicted of a crime, the need for treatment longer than 90 days has grown and overwhelmed city, county and state governments' ability to respond.

But we do know how to treat

chronic illness. Nearly the same number need treatment for diabetes (29 million) as those needing treatment for substance use disorder (21 million). Yet, roughly three of four diabetes patients receive treatment while only 12 percent of those with substance use disorder do, according to estimates from the Centers for Disease Control and Prevention. Society is in short supply of drug treatment specialists to carry out medication-assisted treatments and dispense methadone, buprenorphine and naltrexone. Training programs are necessary for health professionals, and more patients should be served by doctors in private practice. Arbitrary caps should be removed on the number of patients undergoing medication-assisted treatments, at least during the present epidemic.

Recommendations

Make naloxone widely available. Local leaders should work to ensure that naloxone, an overdose recovery medication, is made widely available in each community and provided to all city and county first responders.

Nearly 40 states now grant some broad authority to pharmacists – such

as through a standing prescription order from the state's public health director or by a collaborative drug therapy agreement – to distribute naloxone not only to those with an opioid prescription but to those who support or act as caregivers to people suffering with addiction, and in some cases to the general public. This practice should be operational in all 50 states and territories. Bulk purchasing agreements by organizations such as the U.S. Communities Government Purchasing Alliance can make this life-saving drug available to cities and counties at a significant discount, easing the cost burden on local government.

The administration of naloxone should be followed by medical holds, referrals or "warm handoffs" to counseling and treatment services that help individuals address the underlying drug abuse that led to their overdose. Without follow-up services, administering naloxone can amount to delaying a lethal overdose, rather than saving a life.

Intervene to advance disease control by implementing a clean syringe program. Safe disposal of unused prescription medications and needles contaminated with blood are important steps

NATIONAL FACT SHEET

Drug overdose is the leading cause of accidental death in the U.S., with 47,055 lethal drug overdoses in 2014. Opioid addiction is driving this epidemic, with 18,893 overdose deaths related to prescription pain relievers, and 10,574 overdose deaths related to heroin in 2014.

From 1999 to 2008, overdose death rates, sales, and substance use disorder treatment admissions related to prescription pain relievers increased in parallel. The overdose death rate in 2008 was nearly four times the 1999 rate; sales of prescription pain relievers in 2010 were four times those in 1999; and the substance use disorder treatment admission rate in 2009 was six times the 1999 rate.

In 2012, 259 million prescriptions were written for opioids, which is more than enough to give every American adult their own bottle of pills.

(Source: Centers for Disease Control)



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www.mainestart.org

to protect against outbreaks of HIV and hepatitis. Establishing places or programs to deposit used syringes and needles not only helps with disposal, but also opens a path for individuals seeking substance use treatment.

At a minimum, localities can provide information on hospitals, clinics or other health facilities and providers who will receive or exchange contaminated syringes and needles for new ones. One such program, The Point, developed by the Center for Health and Social Research at SUNY Buffalo in collaboration with the Erie County, N.Y., Department of Health, provides information on locations where an individual can access clean needles and syringes.

Increase availability of medication-assisted treatments. A regimen of long-term (six months or more) medication exchange (such as methadone, buprenorphine or naltrexone replacing heroin), psychological counseling, peer-to-peer support networks and close patient monitoring is the evidence-based model to address addiction and co-occurring mental health problems. Such sophisticated medication-assisted treatment requires highly trained practitioners and access to often costly medication. At present, there are too few drug treatment specialists to meet the growing demand. Progress can be made if more health professionals, such as licensed practical nurses, can undergo training to properly administer medications such as buprenorphine and naltrexone. Both the federal government and county governments (such as Erie County, N.Y.) have expanded the availability of such training programs.

Efforts are in place to make better use of community health centers to increase treatment services. Likewise, rules that limit the number of patients to whom any single physician can prescribe buprenorphine are barriers to increasing treatment. Instead of capping the level of physician treatment, doctors in private practice should be incentivized to treat more patients struggling with a substance use disorder.

Increasing the cooperation between city and county governments to enhance the number of beds for long-term medication-assisted treatment is critical to overcoming this health crisis.

Expand insurance coverage of addiction treatments. Local leaders should advocate for including addiction treat-

ments in all health insurance plans and removing limits on such treatments. In addition, city and county officials should work to ensure that the health plans of local government employees cover addiction treatments. Given that cities and counties together employ several million individuals, including addiction treatments in local government health plans represents a significant step toward enabling individuals to access affordable treatments for substance abuse.

Employ telemedicine solutions. Although the nature of addiction treatment often requires in-person visits with medical professionals, telemedicine can enhance these treatments. Advances in technology have expanded access to health professionals and extended the capacity of each individual service provider to meet the growing needs of those with substance use disorders. For paramedics responding to calls, telemedicine can facilitate immediate support to patients. The technology is also useful in serving rural populations, where distance between first responders and patients is often a critical factor.

The U.S. Department of Agriculture has awarded Distance Learning and Telemedicine grants to establish telemedicine networks to provide treatment for medical conditions, including mental health and drug addiction treatment. These grants are also designed to expand and improve rural counseling centers with mental, behavioral and psychiatric care services and substance

treatment services, and to support mobile health units providing onsite care and telemedicine video conferencing with doctors and specialists.

Reassessing law enforcement

Cities and counties have been fighting the “war on drugs” for nearly five decades, and unlike many other wars, this war is waged on American soil. Because this war has largely failed to differentiate between individuals struggling with addiction and traffickers who profit from addiction, communities, and in particular communities of color, have suffered extensive casualties in the war.

The end result of this criminalization of addiction has been a cycle of over-incarceration that fails to address the root causes of drug abuse in our communities and costs taxpayers trillions of dollars.

In recent years, and with the onset of the opioid epidemic, local governments are reassessing and shifting approaches to drug enforcement. Although law enforcement agencies continue to carry out the important task of aggressively pursuing the drug traffickers and cartels that are flooding our communities with illicit drugs such as heroin and fentanyl, they are placing a greater focus on alternatives to arrest for those whose low-level criminal behavior is rooted in addiction.

Good Samaritan laws that provide legal protection for individuals who report overdoses have also been widely embraced.



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Local law enforcement and public safety officials must continue to work closely with health care providers, addiction treatment facilities, and drug courts to identify such alternatives. Equipped with the discretion to use these alternatives, local law enforcement officials can continue to play a crucial role in helping to break the cycle of addiction that, as past efforts to criminalize addiction have made clear, cannot be solved through arrest and incarceration.

Recommendations

Reduce the illicit supply of opioids. City and county leaders should facilitate partnerships between local law enforcement and their state and federal counterparts to identify the flow of illicit drugs into communities. They should use all available law enforcement resources to incarcerate drug traffickers. Local law enforcement agencies should work closely with DEA's State and Local Task Force Program. The program's ability to combine federal resources with state and local officers' detailed knowledge of their jurisdictions leads to highly effective drug enforcement investigations.

By targeting drug traffickers and the supply chain of drugs, local law

enforcement can dramatically reduce the availability of drugs in communities. Reducing supply is especially important as drug dealers are increasingly lacing heroin with lethal drugs like carfentanil, which is used to sedate large animals. Drug users are typically unaware that the drugs they are purchasing are laced in this way, resulting in greater frequency of lethal overdoses. In August 2016, in a span of just two days, Cincinnati's emergency services responded to more than 60 heroin overdoses, many of which resulted from batches of heroin laced with carfentanil. Active and collaborative drug enforcement is key to preventing further tragedies.

Consider alternatives to arrest. City and county leaders should empower local law enforcement officials to use alternatives to arrest for individuals who commit low-level crimes associated with drug abuse and often co-occurring mental health issues. Illicit drug use and low-level possession of drugs continue to be treated as criminal behavior throughout the country, leading to millions of arrests each year. However, many local law enforcement agencies have taken the position that arresting users for possession is not an effective way to change behavior. Instead of criminalizing drug addic-

tion, communities are now addressing the problem as a treatable disease that requires intervention and treatment. The International Association of Chiefs of Police states that law enforcement leaders "should strive to create innovative partnerships with public health providers and rehabilitation experts to help line officers respond more effectively to substance abusers with an increased array of alternative solutions to incarceration."

Local law enforcement officers are among a community's best resources in the effort to identify individuals with who need treatment for a substance use disorder and divert those individuals to needed treatment services. As an alternative to arrest and incarceration, local law enforcement officers should be able to refer drug addicts to local, community-based drug treatment programs to break the cycle of drug use. Local governments should train local law enforcement officials on resources that are available for drug treatment programs and how individuals who need treatment can access these programs.

Divert from the criminal justice system. City and county officials should advocate for diversion from incarceration for nonviolent individuals whose low-level criminal behavior stems from their drug addiction. Many communi-

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ties throughout the country have established drug courts to help individuals struggling with addiction enter a substance abuse program instead of serving time in jail.

Drug courts employ a program designed to reduce drug use relapse and criminal recidivism through risk and needs assessment, judicial interaction, monitoring and supervision, graduated sanctions and incentives, treatment and various rehabilitation services. A multidisciplinary team of judges, prosecutors, defense attorneys, community corrections, social workers and treatment service professionals often manages the courts and provides targeted treatment services to drug offenders.

Although drug courts have higher investment costs, especially in treatment services, many communities have experienced extensive savings associated with victim and criminal justice system costs because of fewer crimes, rearrests and incarcerations. On average, drug courts save an estimated \$5,680 to \$6,208 per offender.

Diversion courts have a particularly positive impact on our nation's veterans. According to a 2011 study from the U.S. Department of Veterans Affairs (VA), veterans are nearly twice as likely to die from an accidental opioid overdose than their civilian counterparts. Veterans' treatment courts offer an opportunity for those suffering with substance abuse or mental health issues to receive assistance in accessing their earned benefits, obtaining targeted treatment and connecting with a peer mentor who understands

their challenges and pain. There are already over 200 such courts, and local jurisdictions can receive assistance in setting up their own veterans' treatment court through the Justice for Vets initiative.

Facilitate treatment in jails. Local leaders should work to ensure that inmates in local jails who struggle with addiction receive proper treatment for their illness, including medication-assisted treatments, with a special focus on pre-release treatment and service coordination. Treatment programs in jails offer an opportunity to break the cycle of drug abuse and criminal behavior that ensnares many individuals who come into contact with the criminal justice system. Jails can implement low-cost treatment programs to provide these individuals the treatment they need. Statistics demonstrate that incarcerated individuals who struggle with opioid addiction and receive little or no treatment are much more likely to relapse into drug use and criminal behavior on their release. These individuals also are more likely to suffer a lethal overdose shortly after being released.

Treatment programs in jails have consistently been shown to reduce the costs associated with lost productivity, crime and incarceration caused by heroin use.

Providing treatment services to fit the needs of the individual is an important part of effective drug abuse treatment for criminal justice populations. Drug treatment should address issues of motivation, problem solving and

skill building for resisting drug use and criminal behavior. Treatment programs during incarceration should also facilitate the development of healthy interpersonal relationships and improve the participant's ability to interact with family, peers and others in the community.

Support "Ban the Box" initiatives. City and county officials should change hiring practices to prohibit questions regarding past criminal history on applications for local government jobs and hiring by vendors under government contract. Among the biggest challenges individuals convicted of drug offenses face is securing employment and housing after release from jail. The inability to find a job or a place to live leads many to return to their previous criminal activities and remain in the grip of opioid abuse and associated criminal behavior.

One program used in more than 100 cities and counties is the "Ban the Box" initiative. This initiative prevents prospective employers from asking about the criminal background history during the early stages of the application process. The goal of the initiative is to ensure employers first consider the job candidate's qualifications without the stigma of a criminal record.

To support local efforts to enact "fair-chance" policies, the National Employment Law Project (NELP) has developed best practices and model policies for local governments. The NELP toolkit provides model administrative policies, sample resolutions, ordinances, state executive orders and model state legislation. ■



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The Municipal RISK MANAGER

WINTER 2017

A Publication of the Maine Municipal Association

Best Wishes in Your Retirement, Judy!



Please join Maine Municipal Association Risk Management Services (RMS) as we thank Judy Doore for her dedication and the past service that she shared with all of us. Judy retired from RMS on December 31, 2016.

Judy started traveling the State of Maine on behalf of MMA Risk Management Services (RMS) in 2008 as a Member Services Representative. During Judy's travels she established strong relationships and friendships with our members while offering assistance and support with their municipal endeavors. Judy shared her vitality and enthusiasm for local government with all of us and we are thankful for Judy's efforts. Judy has been a valuable member of the RMS team, a friend to all and we will truly miss her. All of us at Maine Municipal Association and Risk Management Services wish Judy the very best in her retirement. 🏠

Risk Management at Work For You

Members of MMA Risk Management Services trust the exceptional service they receive from our programs. Whether a small town, large municipality or a utility district, our goal is simple - to assist you with decisions on personnel resources, physical assets, and operations that will help you to protect your employees, minimize exposures and by removing hazards before a loss occurs.

Professional loss control & loss prevention services are provided by MMA's highly trained loss control consultants. These dedicated consultants are available to work with members of the Property & Casualty Pool and Workers Compensation Fund to provide extensive training, identify exposures and assist in development of safety programs. They also conduct hazard surveys, property inspections and provide estimates of insurable building values for members.

Online Safety Training - Online safety training is offered in conjunction with FirstNet Learning. FirstNet is an e-learning company specializing in full service e-learning solutions for industry and government.

- The training is based on the National Safety Council's Green Cross Safety Suite and is adapted to the State of Maine safety standards. This service is being offered as an enhancement to the live training currently available to members of the Workers Compensation Fund and Property & Casualty Pool.
- Online safety training is flexible with courses ranging from 15 minutes to 2 hours. It is possible to begin work on a course, exit at any point with a bookmark, then return when it's con-



RMS Loss Control Department (left to right): Dan Whittier, Ann Schneider, John Waterbury, Don Vickery, Bob Thomas, Jennette Holt and Lance Lemieux.

Story Continued on Page 18

Cold Snap = Property Damage



During the winter months our public buildings are in danger of becoming the next victim of the FREEZE. Water has a unique property in which it expands as it freezes. This expansion puts tremendous pressure on whatever is containing the water, including metal or plastic pipes. No matter the “strength” of the pipe or the container, expanding water can cause pipes to break. It is important that we remember to routinely inspect all buildings over winter months and especially during vacation and holiday breaks to ensure that the buildings are properly heated and that all water distribution systems, including sprinkler systems, are not frozen. Such inspections are critical after a deep freeze or power outage.

Remember to:

1. Remove, drain, and store hoses used outdoors. Close inside valves supplying outdoor hose bibs. Open the outside hose bibs to allow water to drain. Keep the outside valve open so that any water remaining in the pipe can expand without causing the pipe to break.
2. Check around the building for other areas where water supply lines are located in unheated areas. Look in the basement, crawl space, attic, garage, and under kitchen and bathroom cabinets. Both hot and cold water pipes in these areas should be insulated. Inspect the buildings inside and out.
3. Insulate buildings including water lines.
4. Repair and replace broken windows.
5. Eliminate drafts in foundations and framing.
6. Plan ahead and winterize all locations. 

RMS at Work For You *(cont'd)*

venient and pick up at the same place.

- The courses are user friendly, easy to navigate and no additional computer training is required. In addition, employees may print off certificates of completion for each program successfully completed. Training coordinators can also easily track courses completed by their staff.

Safety Grant and Scholarship programs which are funded through the Worker’s Compensation Fund are available only to current participants in the Fund. They provide financial incentives to Members to purchase safety equipment or services or attend safety workshops and seminars that assist in reducing the frequency and severity of workplace injuries.

Sharing information among and between our members is paramount to successful pool risk management. Please take full advantage of these resources and tools that are specifically developed to provide you with a signature level of care.

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Maine Municipal Association
RISK MANAGEMENT SERVICES



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.

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1-800-590-5583 or (207) 626-5583

Walking Safely

With daylight hours quickly waning, winter weather is here. Your staff, students and members of the public are at greater risk for accidents as they arrive and depart from your facility. You can minimize the risks by taking steps to ensure the safety of all as they arrive and depart from your locations by:

- Establishing traffic patterns that allow for your visitors and staff to enter and exit vehicles curbside so they do not need to cross into traffic.
- Remind staff to wear highly visible clothing and outerwear or even utilize reflective tape to increase their visibility.
- Clear snow from walkways and apply traction material if needed. Make sure all emergency exits are kept clear. Remember that during periods of heavy snowfall your exits may require additional snow removal throughout the day.

When conditions warrant, apply ice melt or traction material to walkways before the beginning and end of the day and as necessary throughout the

day.

Make sure exterior lighting provides adequate illumination around buildings and parking areas. Check lights regularly and replace as needed.

Slips and falls account for the highest percentage of employee injuries. One of the best ways to prevent slips and falls in icy conditions is prepare and maintain walkways. Some members have even installed heated walkways to ensure a safe entry and exit area for all.

Maine winters can be dangerous! Just a reminder: the following Safety Shorts are available on the MMA website, <http://www.memun.org>. These can be used for short training sessions, as handouts or as posters. "Stand Up to Winter" is recommended reading for all employees today. Other courses



include:

- Cold Weather Conditions
- Understanding Wind Chill
- Snow Blower Safety
- Snow Shoveling Safety
- Snow Plow Safety/Winter Operations
- Don't Burn Down the Office, Portable Heater Safety 🏠

Employees are Highest Risk, Best Defense Against Security Breaches

You may not think of your employees as a threat to your business operations, but they are one of the biggest threats to your cyber security. More than half of all computer security breaches result from human error. Many are the result of phishing, which 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.

On the other hand, your employees are also your first line of defense against cybercrimes. Security awareness training is one of the most important safeguards for your cyber security, yet is it often overlooked. Help your employees understand the value of good cyber security practices not only for your business operations, but for them personally. For example, employees become more

vigilant in protecting their home email, personal data, and financial accounts when they are trained to identify potential security gaps, such as phishing attacks, while at work.

A successful employee training program requires ongoing training because new cyber threats are continually emerging. A good security awareness program communicated through multiple formats is most effective. Consider awareness posters in common areas, helpful hints distributed to employees via email, classroom training sessions, and webinars.

Training your employees to detect phishing and other fraudulent activity is one of the most important safeguards against cybercrimes. If you would like assistance with employee training, contact the MMA Risk Management Ser-

vices at 800-590-5583 or go to the RMS Online University to review the Preventing Phishing training program. 🏠

Welcome New Members

Property & Casualty Pool

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York Water District

Workers Compensation Fund

Princeton Water District

Unemployment Compensation Fund

Town of Randolph

Public Works Taking Steps for Safety

Now that winter has arrived, Public Works crews are busy loading, inspecting and repairing sanders/hoppers mounted in the dump bodies of dump trucks. Frequently these are accessed by means of a ladder or stepladder during inclement weather and often on snow or ice covered public works lots. One serious fall has already been reported to Risk Management Services when a Public Works employee fell 10 feet to a concrete floor while doing a repair on a sander/hopper unit.

Insufficient fall protection is number 1 of the 10 most frequently cited violations by OSHA, and ladder safety violations is ranked number 7. If a ladder is used, it should be secured to the truck, and if possible, fall protection then secured to the ladder. Even if fall protection is not possible, some basic tips may help prevent a fall.

- If using a ladder to access a sander/hopper in a dump body, choose the proper ladder for the job.

Before using the ladder, inspect it. If there are missing, broken or defective rungs, cleats, or other faulty equipment, don't use it! The ladder should be taken out of service and tagged as "Dangerous- Out of Service". Remember the manufacturer of the ladder must approve all repairs to the ladder.

- While this may be difficult in winter conditions, place the ladder on a level, non-slip surface or secure it by tying the base to stakes or have a fellow employee foot the ladder to prevent it from moving. Do not place the ladder on boxes or other unstable bases to gain additional height.

- Keep the rungs free of oils, snow, ice or other debris.

- Remember the 4-to-1 rule. Divide the number of rungs to the top support point of the ladder by 4 to get the number of feet the base of the ladder should be away from the bottom of the truck or the wall. For example, if it is 8 rungs to the top support point, then the ladder should be placed two feet away from the bottom of the truck. ($8 \text{ rungs} \div 4 = 2 \text{ feet}$)



Stepladders should not be leaned against a truck body and used like a regular ladder. If a ladder is leaned against the truck body, it should extend at least three feet above the top support point.

- Watch for overhead power lines! Always look up prior to positioning, raising or moving a ladder.

- If possible, secure the ladder to the truck or anchor the ladder at the top. Do not use fall protection secured to the ladder unless the ladder can be secured first.

- Face the ladder while climbing.

- Keep your weight centered between the rails.

- The hands should grip the rungs of the ladder- not the rails.

- Feet should be placed on the rungs so the front edge of the heel is against the rung.

- Do not lean out beyond the rails to work. Keep your belt buckle between the side rails of the ladder.

- Do not stand on the top two rungs or steps of a ladder.

- Don't carry objects while climbing a ladder. Use a tool belt, or hoist items up with a rope.

- Maintain three point contact. Both feet and one hand, or both hands and one foot should be in contact with the

ladder at all times.

Taking a little time to follow these basic steps could prevent an injury and keep key personnel productive during the busy winter season. Participants of the MMA Risk Management programs can access the online Ladder and Scaffolding Safety course at the MMA Risk Management Services Online University. See the Risk Management Services website, and click the Online Safety Training link. For more information, please contact your MMA Risk Management Services Loss Control Consultant. 

Keep Safety Positive

Risk management and safety in the workplace is a key responsibility for all managers and department heads. When discussing workplace safety it is vitally important to keep the role of risk management positive. Keep these factors in mind when you address safety with your coworkers:

- **Everyone has a role.** A successful safety culture includes everyone and it is important to ensure that all departments are represented. Many municipalities have created Safety Committees with a member from each department represented so that everyone has a voice in safety.

- **Show respect.** Show staff that you care about their safety and health and the well-being of the office.

- **Ask for input.** All employees have differing views and attitudes about safety and risk management. Find out if there are any issues that are of concern to your staff and then ask for ideas to correct or minimize the exposure.

By including all members of your staff in your risk management plan, you will foster a safety environment where all workers have ownership and a want to identify potentially hazardous conditions and to protect each other.

Leadership, trust are keys to being an effective fire chief

Brunswick chief reminds his staff that they are, as he is, the faces of the local fire department. This is important to remember both while working and off-the-clock.

By Liz Mockler

Brunswick Fire Chief Ken Brillant believes his most important role is to inspire his staff with good leadership, followed by building and winning the trust of the community, town manager and council.

"You have to lead by example," said Brillant, who began his career as a Topsham junior firefighter in 1987 at the age of 15. "I have never asked anyone to do something I wouldn't do or haven't already done myself."

Brillant said the chief also needs to be a mentor. "Who is going to be in charge when you are not available?"

In Brunswick, the fire department includes 32 career firefighters and eight call firefighters who handle about 1,100 fire calls a year. The department also operates an ambulance service that is dispatched 2,900 times annually.

Brillant said he holds two meetings a month to address questions or concerns of the full-time staff "as a proactive way to keep any issues small and to help answer any lingering questions there may be from the union."

For "call" firefighters, his challenge is similar yet different, because they can "quickly stop showing up" if they are not happy with how they are treated or how the department is run.

Supervising a call firefighter staff during his career has proved important and insightful.



Ken Brillant

"Trying to keep call volunteers interested and morale up can be challenging at times," said Brillant, who earned an Associate's Degree in fire service in 1992, followed by a Bachelor's Degree in technical management and then as a graduate of paramedic school in April 1993.

Call firefighters are crucial to the department, "but are not driven by a paycheck, so you have to continually give them reason to want to be there," he said.

Brillant was hired as a regular volunteer firefighter in Topsham in 1990, after graduating high school. He was hired by Brunswick as a career firefighter in August 1992, while continuing to serve the Town of Topsham. He was named Topsham fire chief in 2004 and served six years before being hired back by Brunswick as chief in 2010.

Just as Brillant considers himself the "face of the department," he expects the same from all members of his crew. "I want my staff to remember they work for (the public)," he said, including when they are off the clock.

'Approachable and professional'

"We should always be approachable and act in a professional manner, even when we are off duty. Firefighters are always looked at as representatives of the department, so our actions are just as important as when on duty."

He said most of the department's interaction with residents is positive, "but when it is not it's usually because we need to educate them on what we

do and why we do it."

He added, "(Residents) may not always agree, but they should at least have a better understanding of why things are done in a certain way."

Brillant, whose department also includes two deputy chiefs and an administrative assistant, would like to hire one or two more firefighters who would work proactively to conduct life-safety inspections in multi-unit apartment buildings and businesses.

"If we could conduct these types of inspections... we can decrease the likelihood of death or serious injury during a fire."

Brillant has tried to include fire inspectors in his budget, and also would like to have 10 to 12 firefighters on duty per shift, rather than the present eight. He said the town of about 20,000 residents needs to replace its century-old fire station, too.

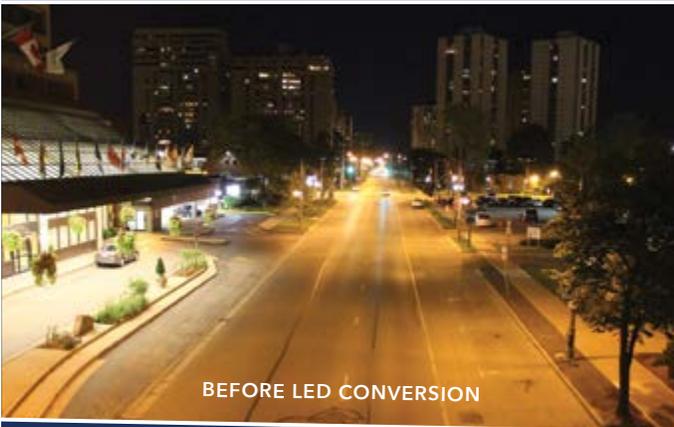
"These are budgetary issues," he said, not disagreements between the department and town leaders.

To be an effective, successful chief, Brillant said, "You have to earn the faith and support of both the town manager and the council. Whether you're making a budget proposal or providing advice on the best way to handle an issue, you need their trust to be effective. If they don't believe in you, they won't listen to you." ■

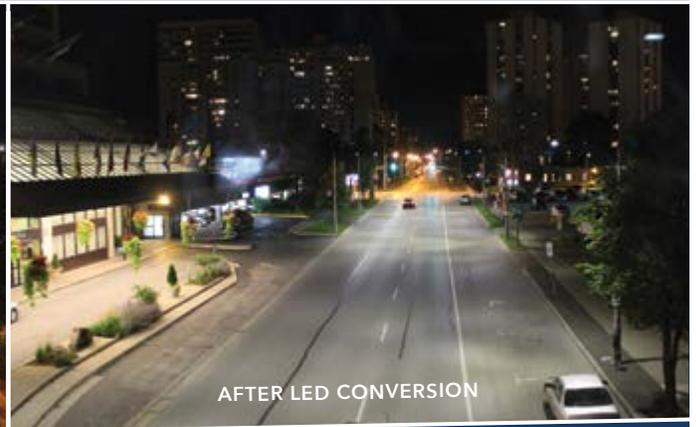
ABOUT THIS SERIES

Elected and appointed officials provide essential services to their communities across our state. Maine Municipal Association began this series of profile articles in 2016, our 80th Anniversary year. The series continues in 2017 as we highlight the work that municipal officials do.

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



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New Sharon selectman weighs why he recently sought office

Bob Neal, a former turkey farmer, college professor and editor, has served the community that he loves in many ways. Now he wears a municipal hat.

By Steve Solloway

“Why are my property taxes so high?”

The resident of the rural Franklin County town of New Sharon saw that one of her three selectmen had finished his lunch. She walked up to the booth he favored at Tracy’s Kountry Kitchen and, after a greeting and a smile, pitched her question.

“Well, I’ll tell you why,” said Bob Neal. For a moment he looked like the college journalism professor he once was, answering a student’s question. He agreed with the homeowner that her tax was high and explained that the last assessments happened when property valuations had peaked. His answer was to the point. Better yet, he added a bit of empathy: Neal thought he paid a lot in property taxes, too.

The woman, who juggles two jobs, including milking cows at one of the remaining dairy farms nearby, wasn’t finished. She had a follow-up question that Neal answered just as deftly. He mentioned that he, too, would like a little more money to pay other bills.

Neal looked at the writer seated across from him. “You asked me earlier why I wanted this job. You just saw probably the biggest reason. I love talking to people about how this town works.”

He has spent much of his 76 years in some type of endeavor interacting with the public. But until March of last year at town meeting, had never been elected as selectman. Neal lost his first attempt to win the position some years ago. He won’t forget the tally: 55-33 for his opponent.

There’s a hint of a smile when he recites the numbers from last year’s

vote. He won, 91-43, on a day when he had other matters on his mind. His beloved wife of 51 years, Marilyn, was in an intensive care unit. After learning he won the election, Neal realized he couldn’t wait for the results to be announced, accept congratulations and perhaps say a few words. He asked the town meeting moderator to convey his apologies, but he had to leave to rejoin his wife at the hospital.



Bob Neal

Hundreds like him

Like Neal, hundreds of Maine men and women serve their communities as city or town councilors or selectmen. They are the bedrock of America’s form of democracy. At this level, politics and town government can be most personal, especially in rural communities like New Sharon. Neal believed the people at town meeting would understand his sudden absence.

In fact, he’s an open book by every definition. He was a turkey farmer with his wife for nearly 30 years on their 60 acres in New Sharon. At its peak, the Neals had a flock of 4,400 free-range birds, which were sold at more than a dozen farmers’ markets, mostly in central Maine. Maine colleges and restaurants bought his turkey products. Fairgoers at the Fryeburg Fair and the Common Ground Fair stood in line for his turkey dinners or hot turkey sandwiches. They sold the farm in 2015.

To call Neal a former turkey farmer just scratches the surface.

He earned his bachelors and master’s degrees in political science at the

University of Missouri-Kansas City, in his home state. He did graduate work in political science for two years at Vanderbilt University. He worked as a reporter and editor at the Kansas City Star before moving on to editors’ positions in Montreal, Pennsylvania, Ohio and Maine. He taught journalism at Miami University of Ohio and the University of Maine and was a part-time lecturer at the University of Maine-Farmington.

Local dedication

He served two terms on the school board that runs the public schools in Farmington and its surrounding communities. He was school board chairman for two years. He is a deacon at New Sharon’s Congregational Church. He has served on the board of directors of such disparate groups as the Maine Organic Farmers and Gardeners Association (MOFGA) and the Maine Press Association.

As a turkey farmer, he edited the Turkey Times, a quarterly missive that was based on but not limited to what was happening with his flock or the role of state and federal government in farming in general. He and his wife enjoy women’s college basketball and he edited the publication for the Friends of Maine Women’s Basketball.

Marilyn Neal’s health limits her road trips now but her husband will check the weather forecast and think nothing of driving to Boston or Smithfield, R.I. or Stony Brook, N.Y. on the eastern tip of Long Island to watch the UMaine women play.

Steve Solloway is a freelance writer from Hallowell and relatively new contributor to the Maine Townsman, ssolloway@roadrunner.com.

Even today you can read Neal's opinions in *The Daily Bulldog*, an online newspaper based in Farmington. The *Countryman* column is entertaining and erudite reading on everything from Gov. Paul LePage's job performance to the meaning of Thanksgiving to how older men like Neal watch college basketball players practice.

In fact, Neal keeps his job resume current. He never knows when he might find another opportunity to put his skill set to work.

"Bob is a character and he is unique," says Pamela Griswold, New Sharon's town clerk. She has known Neal for more than 30 years. "He is definitely a community-minded and curious person. He helps people."

Several years ago he described himself as a "radical moderate with no place for me in the current political spectrum." But late last winter he decided there might be a place for him in New Sharon's town government if his neighbors saw fit to vote for him.

"I don't know," he said, when asked

again why he did run. "I just got stupid. It's not good for a person who had a heart attack to sit around and... moan. My nature is to fix things. It will most likely take a long time to have any type of positive effect but in the end I'd like to think I did."

As a journalist and former editor, he understands transparency in government at any level and believes in it. He wonders if state legislators and bureaucrats in Augusta truly understand that the laws and regulations they enact have unforeseen consequences in undermanned rural town offices.

State's large 'handprint'

"I didn't understand until now how large the state's handprint is on what we (town government) do," said Neal. "I'm getting a better handle on the saying 'penny-wise and pound foolish.'"

As a property owner and former farmer/businessman he appreciates the burden of paying taxes. "I don't like spending other people's money. I don't mind spending my own but I don't have any."

Neal enjoys a wry joke. He doesn't mind looking at himself in the mirror. Even more, he doesn't use humor to

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obscure the facts of the issue. Humor can give people pause to see things more clearly.

Managing The Turkey Farm made him realize the importance of ordering and reordering priorities when need be. He knows how to listen and see both sides, traits that followed him from his days as a journalist. He taught his journalism students that both qualities were essential. Decades later, he practices what he preached.

Neal believes in disagreement. "It's OK to say, 'I don't see it that way, this is how I see it.' And explain how you do see it. Then you listen to other side."

He's nine months into his first term as selectman and says he is, and he isn't, enjoying the interaction of selectmen's meetings. "There are more 2-1 votes than I'd like and I'm the one. I'd enjoy it more if I was part of the two. We don't have that centering force where one of the selectmen was in office for 30 years. I'm not quite as well-ruddered. Our senior selectman has two years, nine months.

For the first time, minutes of the selectmen's meetings are kept regularly. Neal, ever the journalist, takes care of that. There are more workshops. Why wait for town meeting to look for ways to save money in the budget? Why not start earlier and get ahead of the process?

He believed in the team he assembled to help grow The Turkey Farm to the largest of its kind in Maine. He can switch gears and discuss how Coach Richard Barron recruits talented players to the University of Maine. Now, he appreciates he's part of New Sharon's

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town team.

The New Sharon town offices are in the old schoolhouse, a short distance off Route 2. Senior class photos dating back to 1911 hang from a wall in the corridor. Many years show one or two boys and six or eight girls. The boys were needed to work on the farms.

Neal, who loves history, has studied the photos time and again. He grew up in Missouri, where his father was a university professor. His wife is a native of Oklahoma. They love New Sharon. Neal can read the names of high school graduates from early in another century and knows the location of their family homesteads.

He laments what he sees as the passing of rural Maine. New Sharon "is becoming a bedroom community. There are 1,425 people who sleep here and a couple of hundred who live here." He all but shrugs.

Ask Bob Neal again why he decided to seek the post of selectman and he may uncharacteristically hem and haw, but invariably the answer is the same: He wanted to work for his neighbors. Not in Augusta, but just down the state road in the town offices. He wears the hat of selectman now and it fits well. ■



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Meet Our Attorneys Andrew Hamilton

Andy brings many years of experience to counseling municipalities. He has served as General Counsel for a number of Maine towns, and provides advice on economic development initiatives and environmental/land use matters.

Andy is committed to improving Maine communities through public and private investment, and has served in many leadership roles in the Bangor region and eastern Maine.

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2017 MMA & Affiliate Training Calendar

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MMA	Maine Municipal Association	MFCA	Maine Fire Chiefs' Association
MACA	Maine Animal Control Association	MLGHRA	Maine Local Government Human Resources Association
MAAO	Maine Association of Assessing Officers	MMTCTA	Maine Municipal Tax Collectors' and Treasurers' Association
MBOIA	Maine Building Officials & Inspectors Association	MSFFF	Maine State Federation of Firefighters, Inc.
MCAPWA	Maine Chapter of American Public Works Association	MTCCA	Maine Town & City Clerks' Association
MCDA	Maine Community Development Association	MTCMA	Maine Town, City and County Management Association
MeWEA	Maine Water Environment Association	MWDA	Maine Welfare Directors Association

*Please note that the listings in "blue" with a 🔍 symbol are new courses!

Date: **Day:** **Course Name:** **Location:** **Sponsored By:**

JANUARY

1/24	Tues.	Elected Officials Workshop	Augusta - Maine Municipal Association	MMA
1/24	Tues.	Elected Officials Workshop - Video Conference	Caribou - Northern Maine Development Commission	MMA

FEBRUARY

2/1	Wed.	MTCCA Title 30A - Town Meeting and Local Election Law	Bangor - Spectacular Event Center	MTCCA
2/2	Thurs.	MFCA Legislative Breakfast	Augusta - Senator Inn	MFCA
2/7-8	Tues.-Wed.	MeWEA/MWUA Joint Conference	Portland - Holiday Inn by the Bay	MeWEA
2/7	Tues.	Planning Board/Boards of Appeal	Augusta - Maine Municipal Association	MMA
2/7	Tues.	Planning Board/Boards of Appeal - Video Conference	Caribou - Northern Maine Development Commission	MMA
2/9	Thurs.	MWDA GA Basics	Westbrook - Public Safety Building	MWDA
2/16	Thurs.	Moderating Town Meetings	Orono - Black Bear Inn	MMA
2/22	Wed.	MTCCA Title 30A - Town Meeting and Local Election Law	Portland - Embassy Suites by Hilton	MTCCA
2/28	Tues. 🔍	Lifting the Haze: Marijuana & Legal Considerations	Freeport - Hilton Garden Inn	MMA

MARCH

3/9	Thurs.	MBOIA Membership Meeting & Training	Waterville - Waterville Elks Banquet & Conference Center	MBOIA
3/9	Thurs.	MeWEA Legislative Breakfast	Augusta - Senator Inn	MeWEA
3/13	Mon.	Managing Freedom of Access Requests	Lewiston - Ramada Inn	MMA
3/14	Tues.	MMTCTA Tax Liens Workshop	Orono - Black Bear Inn	MMTCTA
3/14	Tues.	MWDA Advanced GA	Augusta - Maine Municipal Association	MWDA
3/21	Tues. 🔍	Aerial Drones and the Current Legal Landscape	Augusta - Maine Municipal Association	MMA
3/22	Wed.	MTCCA Notary Public 101	Waterville - T&B's Celebration Center	MTCCA
3/24	Fri.	MTCMA 38th Annual Statewide Manager Interchange	Bangor - Hilton Garden Inn	MTCMA
3/24	Fri.	MeWEA Ski Day with NHWPCA	Bartlett, NH - Mount Attitash	MeWEA
3/28	Tues.	Verbal Judo - Tactical Communication for the Public Employee	Augusta - Maine Municipal Association	MMA
3/28	Tues.	MMTCTA Tax Liens Workshop	Lewiston - Ramada Inn	MMTCTA
3/29-31	Wed.-Fri.	MFCA Joint Conference	Newry - Sunday River	MFCA

APRIL

4/4	Tues.	MTCCA New Clerks	Portland - Fireside Inn & Suites	MTCCA
4/5	Wed.	Elected Officials Workshop	Old Orchard Beach - Galley Ballroom at Duffy's Tavern & Grill	MMA
4/6	Thurs.	MCAPWA Annual Spring Meeting	Waterville - T&B's Celebration Center	MCAPWA
4/7-8	Fri.-Sat.	MACA Annual Business Meeting & Training	Bangor - Hollywood Casino Hotel	MACA
4/11	Tues.	Roles of Elected Officials & Municipal Managers	Belfast - Hutchinson Center	MMA
4/12 -13	Wed.-Thurs.	MCAPWA Supervisory Leadership in Public Works Program - Part I	Augusta - City Center Plaza	MCAPWA
4/14	Fri.	MAAO Northern Maine Spring Workshop	Caribou - Northern Maine Development Commission	MAAO
4/14	Fri.	MeWEA Spring Conference	Lewiston - Ramada Inn	MeWEA
4/20	Thurs.	Planning Board/Boards of Appeal	Bethel - Bethel Inn	MMA
4/21	Fri.	MTCCA Vital Records	Augusta - Maine Municipal Association	MTCCA
4/21	Fri.	MTCCA Vital Records - Video Conference	Caribou - Northern Maine Development Commission	MTCCA
4/25	Tues.	Personnel Practices	Augusta - Maine Municipal Association	MMA

MAY

5/1-2	Mon.-Tues.	MWDA Spring Conference	Freeport - Hilton Garden Inn	MWDA
5/2	Tues.	MTCCA Licensing	Augusta - Maine Municipal Association	MTCCA
5/11	Thurs.	Municipal Technology Conference	South Portland - DoubleTree by Hilton	MMA
5/11	Thurs.	MAAO Board of Assessment Review	Augusta - Maine Municipal Association	MAAO
5/17-19	Wed.-Fri.	MCAPWA Supervisory Leadership in Public Works Program - Part II	Augusta - City Center Plaza	MCAPWA
5/19	Fri.	MMTCTA Annual Conference	Waterville - Waterville Elks Banquet & Conference Center	MMTCTA
5/22-23	Mon.-Tues.	MBOIA 8th Annual Maine Code Conference	Sebasco - Sebasco Harbor Resort	MBOIA
5/23	Tues.	Running Effective Meetings	Boothbay Harbor - Spruce Point Inn	MMA
5/24	Wed.	Elected Officials Workshop	Skowhegan - Margaret Chase Smith Library	MMA

JUNE

6/1	Thurs.	MCAPWA Highway Congress	Skowhegan - Skowhegan Fairgrounds	MCAPWA
6/6	Tues.	Planning Board/Boards of Appeal	Presque Isle - Presque Isle Inn & Convention Center	MMA
6/8	Thurs.	Basic Municipal Budgeting	Dover-Foxcroft - Mayo Regional Hospital	MMA
6/15	Thurs.	Municipal Human Resources & Management Conference	Waterville - Thomas College	MMA
6/20	Tues.	Elected Officials Workshop	Machias - University of Maine, Science Building	MMA
6/22	Thurs.	MMTCTA Cash Management	Augusta - Maine Municipal Association	MMTCTA
6/27	Tues.	New Managers Workshop	Augusta - Maine Municipal Association	MMA
6/28	Wed.	Grant Writing for Municipal Projects	Union - Union Town Hall	MMA
6/29	Thurs.	MTCCA Municipal Law for Clerks	Augusta - Maine Municipal Association	MTCCA
6/29	Thurs.	MTCCA Municipal Law for Clerks - Video Conference	Machias - Machias Career Center	MTCCA

JULY

7/13	Thurs.	MFCA Membership Meeting & Networking	Hope - Hope Fire Station	MFCA
7/13	Thurs.	MMTCTA Basic Excise Workshop	Augusta - Maine Municipal Association	MMTCTA
7/18	Tues.	Elected Officials Workshop	Rangeley - The Rangeley Inn & Tavern	MMA
7/20	Thurs.	MBOIA Membership Meeting & Training	Augusta - Maine Municipal Association	MBOIA
7/25	Tues.	Planning Board/Boards of Appeal	Saco - Ramada Inn	MMA
7/27-28	Thurs.-Fri.	MMTCTA Basic Accounting I	Waterville - Waterville Elks Banquet & Conference Center	MMTCTA
7/31	Mon.	Customer Service Excellence	Augusta - Maine Municipal Association	MMA

AUGUST

8/3	Thurs.	MTCCA New Clerks	Waterville - Waterville Elks Banquet & Conference Center	MTCCA
8/9-8/11	Wed.-Fri.	MTCMA 72nd New England Management Institute	Newry - Sunday River	MTCMA
8/15	Tues.	MMTCTA I've Got The Job - Now What? Workshop	Augusta - Maine Municipal Association	MMTCTA
8/17	Thurs.	MTCCA Vital Records	Bangor - Spectacular Event Center	MTCCA
8/22	Tues.	Elected Officials Workshop	Houlton - The Center for Community Health Education Houlton Regional Hospital	MMA
8/30	Wed.	 Keeping Your Data Secure: A Pressing Concern	Augusta - Maine Municipal Association	MMA

SEPTEMBER

9/6-8	Wed.-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO
9/8	Fri.	MCAPWA Golf Tournament	Cumberland - Val Halla Golf Course	MCAPWA
9/8-10	Fri.-Sun.	MSFFF Annual Convention/Meeting	Boothbay - Boothbay Fire Department	MSFFF
9/6	Wed.	MTCCA Voter Registration	Caribou - Caribou Inn & Convention Center	MTCCA
9/7	Thurs.	MTCCA Title 21A - State Election Law	Caribou - Caribou Inn & Convention Center	MTCCA
9/12	Tues.	MTCCA 22nd Networking Day & Annual Business Meeting	Waterville - T&B's Celebration Center	MTCCA
9/14	Thurs.	Elected Officials Workshop	Portland - Embassy Suites by Hilton	MMA
9/14	Thurs.	MBOIA Membership Meeting & Training	Gray - Spring Meadows Golf Club	MBOIA
9/14	Thurs.	MWDA GA Basics	Augusta - Maine Municipal Association	MWDA
9/20-22	Wed.-Fri.	MeWEA Fall Convention	Newry - Sunday River	MeWEA

OCTOBER

10/4-10/5	Wed.-Thurs.	81st Annual MMA Convention	Augusta - Augusta Civic Center	MMA
10/7	Sat.	MSFFF Firefighters Memorial Service	Augusta	MSFFF
10/17	Tues.	MTCCA Voter Registration	Augusta - Maine Municipal Association	MTCCA
10/18	Wed.	MTCCA Title 21A - State Election Law	Augusta - Maine Municipal Association	MTCCA
10/26	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Orono - Black Bear Inn	MMTCTA
10/27	Fri.	Verbal Judo - Tactical Communication for the Public Employee	Bangor - Hilton Garden Inn	MMA
10/31	Tues.	MBOIA DECD & Fire Marshal's Office Training	Portland - Fireside Inn & Suites	MBOIA

NOVEMBER

11/1	Wed.	MBOIA DECD & Fire Marshal's Office Training	Orono - Black Bear Inn	MBOIA
11/2	Thurs.	Planning Board/Boards of Appeal	Dedham - Lucerne Inn	MMA
11/2	Thurs.	MBOIA DECD & Fire Marshal's Office Training	Waterville - Waterville Elks Banquet & Conference Center	MBOIA
11/15	Wed.	Labor & Employment Law	Portland - Fireside Inn & Suites	MMA
11/16	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Augusta - Maine Municipal Association	MMTCTA
11/30	Thurs.	Elected Officials Workshop	Augusta - Maine Municipal Association	MMA
11/30	Thurs.	Elected Officials Workshop - Video Conference	Caribou - Northern Maine Development Commission	MMA

DECEMBER

12/5	Tues.	Planning Board/Boards of Appeal	Lewiston - Ramada Inn	MMA
12/8	Fri.	MWDA Winter Issues Training	Augusta - Maine Municipal Association	MWDA
12/14	Thurs.	MBOIA Annual Membership Meeting & Training	Lewiston - Green Ladle	MBOIA
Dec	TBD	MTCMA Joint Workshop with MMANH	TBD	MTCMA

PEOPLE



Douglas Hawkins

Former Parsonsfield Selectman **Douglas Hawkins** died in Gorham on Nov. 21 after a long illness. He was 82. Hawkins, a Kansas City native, moved to the York County town in 1980. He served 12 years as

selectman, beginning in 2002. After a short break, he served three more three-year terms from 2007 to 2016. Hawkins retired as a colonel from the U.S. Air Force after 24 years and was remembered for his knowledge of both world and local issues. Over his lifetime he earned four degrees, including two in Maine. Among his many efforts, Hawkins was a volunteer cook at a Portland soup kitchen.

Winthrop EMT **Aaron Chase** and his family lost their Monmouth home and all their possessions in a fast-moving home fire a week before Christmas. The family of five was not home at the time of the blaze and their cat escaped injury. Just 90 minutes after the fire was called in, Chase's coworkers had created an online fundraiser on GoFundMe to help the family. The Winthrop Ambulance Service also linked the fundraiser from its Facebook page. The effort continued as of press time and more fundraising events are planned for January, according to town officials.



Ross Dubois

Madawaska Lt. **Ross Dubois** has been named police chief after serving the town for 28 years. Dubois, 51, was scheduled to assume his new job on Jan. 1. The town council endorsed his promotion unanimously in

late December. He replaces **Carroll Theriault**, who retired in November. Dubois' son, Caribou police officer **Tim Dubois**, pinned his father's new badge on his chest during the council ceremony in December. Dubois is known for his friendli-

ness, deep knowledge of the community and as an easygoing leader who believes in an open-door policy and supports community policing.

Patricia Doucette, veteran South Portland code enforcement officer, will retire Feb. 3 after 35 years with the city. Doucette also worked as deputy director of planning and development.

After serving the towns of Fairfield and Skowhegan for 25 years, Det. **Kelly Hooper** has accepted a job with the Montana Department of Corrections in Kalispell. Her last day in Skowhegan, where she has worked for the past 10 years, was set for Jan. 6. Hooper began her central Maine career as a part-time officer for Fairfield in 1990 at the age of 23. She was hired as a full-time Fairfield officer in 1994 and promoted to detective in 1999. She was hired by the Skowhegan department in 2005. Hooper also has served as an undercover state drug agent since 2012, in addition to her detective work in Skowhegan.

Ian Houseal has been hired as Sanford's Director of Community Development. Houseal most recently managed the Portland rental inspection and registration program. He also has served as assistant city manager in Portland and Lewiston, as well as leading the Portland Energy Sustainability Office. He was scheduled to begin his new Sanford job on Jan. 17, where he will focus on the multi-family dwelling market. A Bates College graduate, Houseal also holds master's degrees in architecture and regional community planning, which he

earned at two North Carolina universities.



V. Louise Reid

Old Orchard Beach Assistant Town Manager **V. Louise Reid** was feted in style Dec. 19 to mark her 80th birthday. With a smile as bright as the tiara she wore, Reid was escorted around downtown in the front seat of a

police cruiser, followed by a parade of other municipal vehicles. Residents and coworkers lined the street to show their appreciation for her long career of public service. Before being named assistant town manager in December 2013, Reid served as executive assistant to a former Saco mayor and city administrator for 18 months and director of the Old Orchard Beach Pavilion Amphitheater from 1997 to 2002. Before her public service career, Reid worked for 24 years for a Hartford, Conn., technology firm and 17 years in Salvation Army administrative positions in Pittsburgh, Boston, New York City and Old Orchard Beach.

John Sutherland, Lubec town administrator for six years, has been hired as Lincoln town manager under a 3-year contract that includes a six-month town council review. The town was looking for a long-term manager, officials said. Sutherland replaces **Ron Weatherbee**, who stepped down last August. Former Millinocket Town Manager **Peggy Daigle** served as interim manager during the search for a new manager. ■

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If your municipality submits a news item for the Townsman, consider sending a corresponding photo to: Eric Conrad or Jaime Clark (econrad@memun.org or jclark@memun.org)

STATEWIDE

Twenty-seven unorganized territories have won a one-time chance to get state permission to have a voice in wind power projects in their remote forested communities. Thirteen more townships have applied and are expected to also get approval. Under a declaration by former Gov. John Baldacci, residents in Maine's 400 territories were not allowed to place any restrictions on proposed wind farms, a local-control decision enjoyed by organized municipalities. Residents in the 40 territories will now be able to put developers through a rezoning process and public hearings, in addition to a state permitting process.

BRUNSWICK

Town officials hope to get a good estimate to build a road to link the ever-growing Brunswick Landing, the former U.S. Naval Air Station, to the Cooks Corner shopping area. A Portland-based consulting firm will be paid \$34,000 to study both the feasibility and cost of the proposed project, as well as a traffic and utility analysis. Under the plan, 1,500 feet of road behind the shopping mall would be paved to connect it to Route 24 near the Landing, home to 1,200 jobs and 100 companies.

GARDINER

The city's ambulance service in 2014 was on the brink of being eliminated because of a projected \$400,000 funding shortfall. Three years later, after minor and major changes, and funding from the city's general fund, service fees have dropped, surrounding towns have been retained and the city's investment in keeping the service running has paid off. Gardiner officials said in December that the service can not only pay for itself, but there is enough money to build reserves for future vehicles and equipment. The restructuring plan depended in large part on continued support from town meeting voters in Chelsea, Farmingdale, Litchfield, Randolph, Pittston and West Gardiner. The service, part of the city fire department, responded to 2,750 ambulance calls in 2016.

PORTLAND

The site of a former lumberyard in the downtown, near the Old Port and the

NEW ON THE WEB www.memun.org

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

2017 Training Calendar. Maine Municipal Association's 2017 calendar is up and running, complete with 97 training opportunities to be held around the state.

Cyber Security. Thomas College and the Maine Emergency Management Agency have compiled a five-page document with recommendations about keeping municipal data backed up for security purposes.

Legal Marijuana. MMA's Legal Services Department is advising members on how to respond to November's vote to legalize marijuana for recreational use. The offerings include sample ordinances which members can use.

west side of the city waterfront, could become home to three, six-story buildings that will provide 300 housing units. The proposal is the latest effort to boost living space in a housing market that is so restricted that rental rates are at all-time highs. Although the need for housing is acute for low- and moderate-income workers, the project would target people with higher incomes. The project would include both apartments, with rental rates undetermined, and condominiums for sale for up to \$1 million each.

PRESQUE ISLE

The state and the Northern Maine Development Commission produced a report showing the intersections and stretches of road where most accidents occur throughout Aroostook County. The plan for addressing the safety concerns would involve investment and road changes by both the state and municipalities. The report offers low-cost, short-term remedies for the 31 most dangerous crash sites, most of which are located between Houlton and Wallagrass to the far north. The report concluded that many of the crashes were caused by drivers, but that others are dangerous because of blowing snow that causes white-outs in some areas. Many parts of Route 1, which runs up the middle of most of Aroostook, is flat and flanked by open meadows or potato fields.

WESTBROOK

Greater Portland Landmarks and the Westbrook Historical Society gained approval to apply for national historic status for an iconic 13-foot-high "walking serviceman" at the intersection where

the state has proposed a roundabout for the past five years. The sign, with swinging arms, is considered a city landmark. It was built in 1962 and consists of steel and wood and is anchored by a huge block of concrete. ■

CORRECTION

In the November Maine Townsman, the article "Land Trusts and Tax Policies" included an analysis of the May 2016 testimony presented by Maine Coast Heritage Trust (MCHT) to the Legislature's Taxation Committee. In that testimony, MCHT asserted that "roughly 95%" conservation land in Maine remains on the tax rolls. The article then reviewed the data provided by MCHT regarding the 10,000 acres of land in 39 organized municipalities, which revealed that just 28% of that property remained on the tax rolls.

After meeting with a representative of MCHT, it has been clarified that the "95%" tax rolls claim pertains not only to the property actually owned by land trusts, but to the property owned by a third-party over which the land trust holds a conservation easement. When those third party land holdings are included in the calculation, approximately 60% of the MCHT-conserved property is considered to be on the tax rolls. Also, when all the conservation land in Maine's 11 million acres of unorganized territory is included in that calculation, which is typically enrolled in the discounted Tree Growth Tax program, the "roughly 95%" claim becomes more accurate.

MUNICIPAL BULLETIN BOARD

JAN. 24

Elected Officials Workshop: Augusta, Caribou

Attorneys and staff from MMA's Legal Services and Communication & Educational Services departments will lead a workshop for Elected Officials on Jan. 24 at MMA's Christopher G. Lockwood Conference Center in Augusta. The workshop will be available via videoconferencing at the Northern Maine Development Commission office in Caribou. The evening workshop begins with registration at 4 p.m. and ends at 8:30 p.m. Officials who attend will receive a certificate saying 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. Cost in Augusta for the workshop is \$55 for MMA members and \$110 for non-members. Cost in Caribou is \$45 for MMA members.

FEB. 7

Planning Boards/BOA: Augusta, Caribou

MMA's Legal Services Department 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 Feb. 7 at the MMA conference center in Augusta. The workshop will be available via videoconferencing at the Northern Maine Development Commission office in Caribou.

The workshop is designed as an introduction for new or less experienced members, but veterans may find an update useful as well. Among the topics to be covered: jurisdictional issues; conflicts of interest and bias; public notice requirements; site visits; procedure for decisions; and, variances. The cost

in Augusta is \$55 for MMA members and \$110 for non-members. The cost in Caribou is \$45 for members.

FEB. 16

Moderating Town Meetings: Orono

Dick Thompson, an experienced Town Meeting moderator and regular speaker for MMA, will lead this annual workshop that examines effective strategies for leading town meetings in Maine. The workshop references MMA's Moderator's Manual and attendees will be provided one.

The workshop, to be held at the Black Bear Inn in Orono, begins with registration at 5:30 p.m. and will end at 8:30 p.m. Cost is \$55 for MMA members and \$110 for non-members. The session is intended to inform both new and seasoned Town Meeting moderators.

FEB. 22

Title 30-A: Town Meeting & Elections, Portland

Town clerks (including deputies and assistants) are the principal targets for this workshop, which will cover many aspects of town meetings and election procedure. Selectmen and moderators may benefit from the training too, and are encouraged to attend. The session is sponsored by the Maine Town & City Clerks' Association.

Speakers will include: Christine Wolfe, Town Clerk in Freeport; Merton Brown, Town Clerk in Kennebunk; and, attorneys from MMA's Legal Services Department. The session will be held at the Embassy Suites Hilton hotel in Portland. Registration begins at 8:30 a.m. Cost is \$60 for MTCCA members and \$80 for non-members.

SPECIAL SESSION! FEB. 28

Lifting the Haze: Marijuana and Legal Considerations

This timely workshop is designed for

elected officials, managers, police, fire-rescue and other municipal officials who will deal with the ramifications of Maine's recent vote to legalize marijuana for recreational use.

The all-day workshop will provide national context, summarize the marijuana industry in Maine and explore various types of licensing and municipal duties and powers. It will be led by Attorneys Ted Kelleher and Amy Tchao, of the law firm Drummond Woodsum. Cost is \$60 for MMA members and \$120 for non-members. A lunch will be provided. The workshop will be held at the Freeport Hilton Garden Inn, beginning with registration at 9:30 a.m.

MARCH 14

Tax Lien Procedures: Orono

The Maine Municipal Tax Collectors' and Treasurers' Association will hold a one-day session on Tax Lien Procedures on March 14 at the Black Bear Inn in Orono. The program will focus on the proper procedures and paperwork involved in the tax-lien process. The emphasis is on the "how to," rather than legal requirements, of tax liens.

Gilberte Mayo, administrative assistant for MMTCTA, will be the presenter. The workshop starts with registration at 8:30 a.m. and will end at 3:30 p.m. Cost is \$55 for MMTCTA members and \$75 for non-members.

SPECIAL SESSION! MARCH 21

Aerial Drones / Legal Landscape: Augusta

This newly revised workshop is devoted to legal issues involving unmanned aerial vehicles, or drones, which are surging in popularity and creating a host of legal issues. The afternoon workshop, presented by a drone consultant and attorneys with the law firm of Bernstein Shur, will tell municipal leaders what they can and cannot do about drones, even in their own backyards. Rules were recently clarified by the Federal Aviation Administration.

The workshop also will help guide fire-rescue and police attendees on whether to use aerial drones in their official lines of work. The class will be held at the MMA Conference Center in Augusta. The workshop will conclude at 4:30 p.m. Cost is \$35 for MMA members and \$70 for non-members. ■

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LEGAL NOTES

Moratoriums on Marijuana

As we noted here last month, Maine's new "recreational" marijuana law will, whenever it takes effect, legalize the personal use, possession and cultivation of marijuana by persons at least 21 years of age and the operation of "retail marijuana establishments," including retail stores, cultivation, manufacturing and testing facilities, and social clubs (see "Legal Marijuana & Municipalities," *Maine Townsman*, Legal Notes, December 2016).

Many municipalities have responded to the new law by either enacting a moratorium on retail marijuana establishments or at least considering one. We'd like to take this opportunity to clear up some of the apparent misconceptions now circulating about moratoriums on marijuana.

To begin, a moratorium is an ordinance, and as such it must be enacted by the municipal legislative body (town meeting or town or city council). The municipal officers (selectmen or councilors) have no authority to adopt a moratorium – not even an interim one – unless they are also the municipal legislative body.

But a moratorium is not a permanent ordinance. Instead it temporarily defers land use activities until a more permanent ordinance can be prepared and enacted. By law a moratorium is limited to 180 days, subject to additional 180-day extensions if the problem still exists and reasonable progress is being made to resolve it. (Municipal officers do have authority to extend moratoriums.)

Also, a moratorium on retail marijuana establishments does not require a comprehensive plan or a zoning ordinance. It merely prohibits these uses from being permitted or operated for the duration of the moratorium.

Finally, since a moratorium is not a zoning ordinance, neither a planning board public hearing nor any special notices are required, as they are for zoning ordinances under State law. (A public hearing before the municipal officers is required, though, if enactment will be by secret ballot referendum.)

For a sample moratorium on retail marijuana establishments, see: <https://goo.gl/sOOjEZ>

For more on moratoriums generally, see our "Information Packet" on the sub-

MUNICIPAL CALENDAR

ON OR BEFORE JANUARY 31 — Written statements, as prescribed by State Tax Assessor, of wages withheld in the previous calendar year is to be furnished each employee (36 MRSA § 5251).

■ 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 04333-0011 [22 MRSA §4311].

FEBRUARY 20 — Presidents' Day, the third Monday in February, is a legal holiday (4 MRSA § 1051); and shall be observed as a school holiday in the absence of any vote of the superintending school committee designating how the day shall be observed (20-A MRSA § 4802).

BEFORE TOWN MEETING — Selectmen must have a warrant posted at least 7 days before town meeting and have a constable or named resident make return (30-A MRSA §2523). If adoption of an ordinance is proposed, make sure of compliance with 30-A MRSA §3002. Send copy of town report to the following: MAINE MUNICIPAL ASSOCIATION, State Tax Assessor, Fogler Library, UMO and State Librarian.

■ Town Meeting voter registration and voting list requirements. The registrar shall accept the registration and enrollment of voters prior to the municipal election according to the time schedule prescribed by 21-A MRSA § 122 unless changed by municipal officers.

■ Copies of annual report are to be deposited in the municipal office or a convenient place of business for distribution to voters at least 3 days prior to the annual meeting (30-A MRSA § 2801)

■ Check 30-A MRSA § 5823 for audits, and § 2801 for town reports.

BY MARCH 1 — Solid Waste Municipal Reporting forms are due back to the State Planning Office, 38 State House Station, Augusta Me 04333 [38 MRSA §2125(1)].

ject, available free to members at www.memun.org. (By R.P.F.)

'Correcting' Petitions

Question: We received a town meeting petition, but the proposed warrant article contains some spelling and punctuation errors as well as some bad grammar. Can we correct these before we print the warrant?

Answer: While it might seem appropriate to do so, municipal officials have absolutely no authority to correct spelling or punctuation mistakes or faulty grammar in a petitioned warrant article even if the circulator requests or consents to it. This is because the signatories to an otherwise lawful and binding petition are entitled to a vote on the article exactly as it appeared on the petition. If the vote will be by traditional "open" town meeting, however, the article can always be amended from the floor to make

corrections (although a petitioned *ordinance*, like any ordinance, cannot itself be amended from the floor).

In the alternative, if voting will be by open meeting, the municipal officers (selectmen or councilors) can always include a second, corrected article on the warrant and ask that the voters act on it instead of the flawed article. We do not recommend this alternative if the vote will be by secret ballot referendum, however, because of the risk that both questions may be approved.

The municipal officers may also decide to offer no alternative and simply hope that the petitioned article will die of its own obvious spelling, punctuation or grammatical infirmities.

Speaking of petitions, we also remind readers that the legal requirements for local voter petitions have changed. In brief, the circulator must now (1) be a Maine resident and registered voter

LEGAL NOTES

somewhere in this state, (2) personally witness all signatures to the petition, and (3) verify this by circulator's affidavit (a statement signed and sworn before a notary). For full details, see "New Requirements for Local Petitions," *Maine Townsman*, Legal Notes, April 2016. (By R.P.F.)

Revised Road Weight Limit Ordinance Now Available

MMA Legal Services has revised its sample Ordinance Restricting Vehicle Weight on Posted Ways. The previous version referenced outdated Maine Department of Transportation (MDOT) rules. The new version does not incorporate current MDOT rules by reference. Instead, it specifically lists all categories of exempt vehicles. The purpose is to capture all exemptions currently recognized by MDOT rules but also to allow a municipality to customize its ordinance to meet local needs. The revised ordinance also helps ensure that a municipality's posted signs accurately reflect the ordinance's restrictions.

The revised ordinance is linked in MMA's "Information Packet" on road weight limits and is also included in the online edition of MMA's *Municipal Roads Manual*, both of which are available free to members at www.memun.org. (By M.L.S.)

Road Abandonment: No Money Damages

There are two statutory methods for extinguishing a town way and the municipality's obligation to maintain it: (1) discontinuance and (2) abandonment. Discontinuance requires a vote by the municipal legislative body (town meeting or town or city council) and payment of money damages to abutters for diminished property value (see 23 M.R.S.A. § 3026-A).

Abandonment entails a determination by the municipal officers (selectmen or councilors) that the way has not been maintained at municipal expense for at least 30 consecutive years; the legal effect is the same as if the way had been discontinued (see 23 M.R.S.A. § 3028). Unlike a discontinuance, however, the Maine Supreme Court has now made it clear that money damages are not available for a road abandonment.

In *Paul v. Town of Liberty*, 2016 ME

173, abutters claimed, among other things, that the town owed them damages as the result of a determination by the selectmen that their road had been abandoned. But the Law Court rejected this argument, noting that a discontinuance is a legislative act under a statute that expressly calls for payment of damages. Abandonment, by contrast, is merely a determination that a road has been abandoned by operation of law, due to the passage of time and a history of non-maintenance, under a statute that does not authorize damages. This is good news for municipalities, which often rely on the abandonment law to manage road-related responsibilities and expenses.

For more on road discontinuance versus abandonment, see our *Municipal Roads Manual*, available free to members at www.memun.org. (By R.P.F.)

Appeals Board Review: Appellate or De Novo?

About 15 years ago the Maine Supreme Court handed down a pair of rulings that have perplexed appeals boards, appellants and practitioners ever since. (We wrote about them at the time, see "Board of Appeals Jurisdiction," *Maine Townsman*, Legal Notes, January 2001, and "Board of Appeals Jurisdiction Redux," *Maine Townsman*, Legal Notes, February 2001.)

In one case (*Stewart v. Town of Sedgwick*, 2000 ME 157) the Court held that unless the ordinance directed otherwise, an appeals board must conduct a full de novo (new) review, with fresh evidence, new findings of fact, and a decision inde-

pendent of the original one. In the other (*Yates v. Town of Southwest Harbor*, 2001 ME 2) the Court found that the ordinance limited the board to an appellate review, confined to the record below and requiring only a determination of whether the original decision was contrary to law or the evidence. The problem was that the two ordinances in question were virtually identical! So instead of clarity, these two decisions yielded mostly confusion and uncertainty.

As a result we recommended then that ordinances be amended to clarify which type of review (appellate or de novo) is required. But recently we learned that some ordinances still are ambiguous on this score and thus an invitation to costly and protracted litigation. So again we urge local planners and appeals boards to review their ordinances and make certain they clearly specify whether it's appellate or de novo review. Sample language can be found in Appendix 1(a) to MMA's *Board of Appeals Manual*, available free to members at www.memun.org. (By R.P.F.) ■

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2017 SPRING 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 Spring Issue.

FEBRUARY						
			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				

Wednesday, February 15th

Application Deadline.

MARCH						
			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	

Wednesday, March 22nd

Application approval (Board Meeting).

Monday, April 10th

Preliminary opinions and loan agreements due from bond counsel of each borrower.

APRIL						
						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						

Wednesday, April 12th

Last date for signing school contracts and rates in place for water districts. PUC Approvals due.

Monday, April 24th & Tuesday, April 25th

Maine Municipal Bond Bank Pricing.

Wednesday, April 26th

Maine Municipal Bond Bank Sale Meeting (Board Meeting).

Tuesday, May 16th

Final documents due from bond counsel.

Wednesday, May 24th

Pre-Closing.

MAY						
	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, May 25th

Closing - Bond Proceeds Available (1:00 PM)

If you would like to participate in or have any questions regarding the 2017 Spring Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 or tir@mmbb.com.



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