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The Magazine
of the Maine Municipal Association

AUGUST-SEPTEMBER 2015

2015 MMA Convention

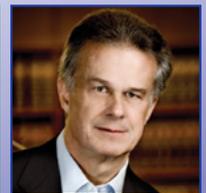
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Fire and Rain



Maine State Fire Marshal Joseph Thomas, Jr. writes that risk reduction, sprinklers and other means of prevention are the most effective ways to reduce community fire risk.

*MMA's 2015 Convention is coming right up! This year, it is all about answering questions – your questions. Turn here to learn about our featured speakers and read the complete program. **Page 26***



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Conversations about Broadband

*The concept of "municipal broadband" gets a lot of attention in Maine these days, and throughout the U.S. MMA recently brought in a Harvard University expert to share his experiences with it. **Page 7***

Back to the Drawing Boards

*Town meeting voters were a little more likely to send proposed school budgets back for revisions. That was one of the trends emanating from Maine's 2015 town meeting season. **Page 17***

What Is Your Brand?

*Does your community have a brand, an identity that quickly comes to mind? If not, it may be missing something. Here are some useful tips on how to brand and promote your area. **Page 20***

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A MESSAGE FROM MMA

BY CHRISTOPHER LOCKWOOD / EXECUTIVE DIRECTOR

A farewell tribute to two special mentors

Mentors. If we are fortunate, we've had at least one mentor in our lives. In my case, I had two individuals who served as professional mentors, although at the time I probably wasn't even aware that's what was happening. I hope I was able to impart my gratitude to them before they passed away during the past few years, but at the very least, it's my privilege to dedicate this "farewell" column in their honor and memory.

Dr. Bernie Lammers was a Government professor at St. Lawrence University, my undergraduate alma mater in Canton, N.Y. I took a number of courses from Dr. Lammers, including Constitutional Law, and he was my adviser for my senior Honor Thesis, which was equivalent to a two-semester course and concluded with my successful presentation and defense to a panel of History/Government Department professors.

What made Bernie Lammers remarkable was his absolute dedication to assist his current and former students in ethical and thoughtful decision-making. I graduated from St. Lawrence at the height of the Vietnam War. I deferred my acceptances to law school and entered Navy Officer Candidate School in Newport, R.I. During my three years in the Navy, I wrote letters to Bernie as I wrestled with a range of questions about the war, the military, whether to go to law school or pursue other career options, and various other issues.

Incredibly, within a few days I would receive a long letter from Bernie (hand written on the back of a paper with exam questions – he was a recycler well before it became commonplace). His letter would respond with great thought and probing questions to assist me in searching for inner direction. Years later, I learned that Bernie would often write his letters to me, and to other former students, during the middle of the night, after he had graded papers and worked on his lesson plans.

Bernie was very proud of the work I did at the Maine Municipal Association and for my devotion to my family. He fervently believed in the importance of public service and ethical decision making. I am grateful for his inspiration and friendship.

Now to my next mentor – Kent Swisher. After completing my stint as a naval officer in 1972, I decided to forego my law school acceptances and set out on a cross-country trip with my wife (Cindy) and our 18-month-old daughter (Sarah). Our travels led us to Seattle. For a month, I tried selling real estate, but soon realized I would not be able to support my family given my limited experience and lack of connections in the community.

Swallowing my pride, I filed for unemployment compensation and began looking through the newspaper want ads. (As I tell new MMA employees, this was before the Internet;

that's how people looked for job openings.) That first week I saw an ad for a research assistant at the Association of Washington Cities (AWC). Although I had received a strong liberal arts education as a Government major at St. Lawrence, I had never heard of a state municipal league or association, but I needed a job. I sent in my cover letter and resume and received a call a few days later from Kent Swisher, the new AWC executive director, to come in for an interview.

To my great fortune, Kent selected me for the position and I became his principal assistant as he embarked on revitalizing the organization. I could not have asked for a better mentor. I traveled throughout the state with Kent, meeting municipal officials and rekindling their interest and support for the organization. Kent taught me many valuable lessons about running a statewide association, but perhaps the most fundamental and formative was his basic approach to managing an organization:

- **Surround yourself with talented people who complement your skills.**
- **Instill in them the values of the organization.**
- **Provide them the necessary resources and trust them to get the job done.**

Kent also afforded me professional development opportunities to meet with other state municipal league directors and staff members at National League of Cities workshops. I got "hooked" on the work of state municipal leagues in advocating on behalf of municipal governments and providing professional services to support the work of local officials.

With Kent's guidance and support, I completed my Master's in Public Administration degree work at the University of Washington while working full time for the Association. I tied in all of my papers to issues on which I was working at AWC. I would not want to relive that two-year period, but it certainly added to my resume and experience when I applied for the position of executive director of the Maine Municipal Association in early 1979.

As I look back on my 36 years as MMA executive director, I am truly grateful for the wisdom and guidance offered by Bernie Lammers and Kent Swisher, as well as many other colleagues along the way. I have been blessed to have worked with so many fine and dedicated staff members and municipal officials who care so deeply for their communities and their association. I thank you for your support and for the privilege of serving as your executive director.

In closing, I want to offer special recognition and appreciation to my wife. Cindy has stood by me throughout my career, caring for our family and supporting me throughout this journey. I also thank my adult children and my grandchildren for their love and support. ■

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Harvard researcher leads session on broadband, urges collaboration

Organized and hosted by Maine Municipal Association, several community leaders detailed their pioneering efforts. State support, one attendee said, is 'indispensable' to the effort.

By Douglas Rooks

By almost every measure, Maine, despite a promising start – and construction of the Three Ring Binder fiber-optic backbone along Interstate 95, built with federal stimulus funds – has fallen behind other states in making high-speed Internet connections. By some measures Maine now ranks 49th in connection speeds, with only Montana worse off. The main problem is the “last mile,” connecting from the Three Ring Binder to local networks.

A Maine Municipal Association conference to compare notes and brainstorm solutions took place on July 16 in Augusta, attended by more than 75 participants from towns, cities, state agencies and private providers. Municipal representatives came from all over the state, including towns as far north as Oakfield and St. Albans.

David Talbot, a commissioner for the Reading, Mass. municipal electric utility and a researcher for the Bookman Center for Internet and Society at Harvard University, gave the initial presentation, which depicted how some of Massachusetts' 41 municipally owned electric companies have become Internet providers, in various configurations. A fiber optic trunk line similar to the Three Ring Binder runs through western Massachusetts, the most rural part of the state, Talbot said. It cost \$85 million to build; the state is also providing \$50 million to help municipalities make connections.

Despite the state assistance, which is not yet available in Connecticut or Maine, Talbot said the process of connecting the trunk line to local users is “still going slowly,” with fewer than



Harvard broadband expert David Talbot. (Photo by Ben Thomas)

half the 123 towns in the region taking advantage to date. The same holds true for the municipal electric utilities, which are far more numerous in Massachusetts than Maine. So far, 10 of the 41 “municipals” are providing some form of broadband access. Talbot said the adoption of a new role for utilities usually depends on local leadership, and that in some towns, different departments may be extending fiber optic lines without being aware of each other's activities.

“Some are extremely sophisticated,” he said, “while others are doing nothing.”

So the free exchange of information is probably the first step in providing connections on the scale necessary to realize the potential of broadband and high-speed, Talbot said. In Maine, he said, a consortium or collaboration of towns would be one way to get started.

“There are economies of scale, and what's not feasible for one town alone

might be feasible for several together,” he said. “We need to be able to talk across municipal lines. There's a huge opportunity that's really untapped.”

The Holyoke example

One Massachusetts utility that has built itself into a significant Internet provider is Holyoke Gas & Electric, which established a separate telecom division more than 10 years ago. It offers connections up to one gigabit for business and municipal users. A gigabit is the current high-end standard, more than 1,000 times faster than a traditional dialup connection. A gigabyte is also 100 times faster than the speeds generated at the lower levels of broadband.

Holyoke, a declining former paper mill city on the Connecticut River, where the population has fallen from 60,000 to 40,000, seeks to reinvent itself economically. One of its strategies has been increasing connectivity as a lure for high-tech companies and data processing centers.

Another attraction, from the utility's perspective, Talbot said, is that while revenues from electric service have been flat or declining in recent years, the telecom department's annual income has increased by more than 20 percent over the past three years, and now stands at \$2.2 million annually. While that's still a small fraction of its traditional business, the growth has encouraged the utility to make further investments. No borrowing has been necessary. The expansion has been funded with current revenues.

Other municipalities in the area, including Westfield and South Hadley, also plan to provide service, and Holyoke has contracted with Greenfield and Leverett, near Concord, as a

Douglas Rooks is a freelance writer from West Gardiner and regular contributor to the *Townsmen*, drooks@tds.net

service provider. As the latter example suggests, Talbot said, a utility isn't restricted by a franchise area in terms of where it can provide fiber optic service. In fact, there are no federal regulations restricting where services can be offered. Some of the "bundled" services Holyoke provides, for instance, are provided by a software company in Oregon. The utilities and municipalities did have to convince the Massachusetts Legislature to authorize them to provide telecom service, however.

Holyoke has had some success in attracting new ventures and retaining existing companies because of its telecom offerings. The biggest to date has been a "data farm" and processing center that serves Harvard, MIT and eight other research institutions in the state. Holyoke has thus far concentrated on commercial and institutional service, but is now studying whether to expand into the residential market.

Another common method for municipalities to create a local "build out" is to pass a bond issue for the initial costs. The municipal commitment can range from a simple role as a common carrier to one that involves more extensive involvement in providing



More than 75 officials attended MMA workshop on municipal broadband. (Photo by Ben Thomas)

service.

When the discussion turned to Maine, attention was focused in large part on the three municipalities that have so far decided to go ahead on their own – Rockport, South Portland and Islesboro – with Rockport leading the way.

'Do it ourselves'

Islesboro sent a contingent of town

officials to the conference, and they described in detail how an island community with only 600 year-round residents decided to set out on a path to become an Internet pioneer. Islesboro's town manager and selectmen had been studying better service – the island has only dial-up – for nearly three years, looking for federal and foundation grants, and not making much progress.



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Then, as one selectman put it, “We realized that no one was going to help us. We had to do it ourselves.” Another selectman said, “We’ve allowed technology to drive policy, and we decided that we didn’t want it to be that way.”

A committee got to work and found that its biggest obstacle was the belief that the existing dialup service was “good enough,” that people didn’t necessarily want to pay more for service, though it cost some businesses as much as \$450 a month for wi-fi connections. The committee worked for nearly a year on public education, and, when a special town meeting was held in May to consider \$200,000 for an engineering study, nearly two-thirds of the town’s 300 voters turned out.

Supporters weren’t sure what to expect, but the tone was quickly established when a man wheeling an oxygen tank came up to speak. He said he wanted to stay in his home, was wasn’t sure he could unless he could subscribe to a video monitoring service that was available only with broadband connections.

Students at the local school told how they would sit outside the library, which has limited hours, to do their homework and take advantage of the wi-fi connection there. When the appropriation came to a vote, there were less than a dozen “nays.”

Islesboro will consider a more significant commitment, likely this fall, when it votes on a proposed \$3 million bond issue to run a cable to the mainland, in conjunction with an electric cable replacement being carried out by Central Maine Power. The plan has already seen changes; the original proposal to provide three tiers of service, at \$35, \$75 and \$125 a month, depending on speed, has been scrapped in favor of providing a universal level of high-speed for all residents.

Both Rockport and South Portland are working with Maine Internet provider GWI, which may also provide service to Islesboro. Rockport announced its plan in August 2014; it represents a collaboration with Maine Media Workshops and Network Maine, a unit of the University of Maine System. GWI is building the system, which will provide gigabit service to both residential and business users. The town invested \$70,000 in the project.

South Portland intends to build out connections in phases, with the Three



Workshop attendees confer after the event. (Photo by Ben Thomas)

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Ring Binder connection extending to Mill Creek, Knightsville, Highland Avenue and Evans Avenue, with the first phase, costing \$155,000, completed in May. A second phase has been funded and a third is on the drawing board. South Portland decided to sign a long-term lease with GWI, which considers the city its anchor tenant for expansion to the rest of the city. One of the attractions for South Portland is that by paying for the expansion, it saves \$2,100 a month in access charges.

Like bridges and roads

Supporters of faster electronic service like to quote Sen. Angus King, whose laptop initiative for middle schools earned national attention when he was governor. About electronic networks, King said, "In today's world, high-speed Internet is as necessary for success as road and bridges were 100 years ago." King was represented at the conference by his regional representative, Chris Rector, a former state senator, who told the group that King remains committed to expanding broadband access state-

wide.

Among state organizations represented were the Maine Public Advocate and officials from the ConnectME Authority, which has provided grants to expand access for nearly a decade, currently averaging about \$1 million a year.

Rather than begin a new organization, several conference attendees encouraged municipalities to join the Maine Broadband Coalition (<http://mainebroadbandcoalition.org>), which formed recently to lobby the Legislature and draw attention to current

bills, including several carried over to the next session. The major accomplishment this year, they said, was LD 1063, which re-codifies and updates state policy on the Internet for the first time since 2006. It became law after the House and Senate unanimously overrode Gov. Paul LePage's veto.

For next year, supporters hope that state funding for fiber-optic connections will be achieved, either through a bond issue, appropriations, utility surcharges, or a combination. One participant said, "The state has to get involved. It's indispensable." ■



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- What ordinances can we enact?
- What authority do we have over the schools?
- What are our liabilities and immunities?
- What is a disqualifying conflict of interest?

As part of our ongoing efforts to bring training to our members, MMA is pleased to announce that the Jan. 28th course will be offered in two formats: In classroom and remotely at the Northern Maine Development Commission in Caribou. Attendees can participate via ITV Technology by viewing the presentation remotely. ITV broadcasting allows for live viewing as well as interactive participation with the attendees.

A perfect opportunity for elected officials to take advantage of the expertise that the Maine Municipal Association has to offer, attain a better understanding of their role as public officials, and stay abreast of ever-changing local government responsibilities and issues.

Course meet state FOAA training requirements (Right to Know).

Roles of Elected Officials & Municipal Managers

Who Should Attend:

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Managing Freedom of Access Requests

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Elected Officials

MMA is likely to add an Elected Officials Workshop before year's end, and there will be many more in 2016. Please look for future announcements.

Roles of Elected Officials & Municipal Managers

Date & Location:

Gray - 12/8/2015

Spring Meadows - 59 Lewiston Rd., Gray, ME 04039

Managing Freedom of Access Requests

Dates & Locations:

Saco - 10/20/2015

Saco City Hall Auditorium - 300 Main St., Saco, ME 04072



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Risk reduction, fire prevention best strategies for firefighting

Maine's State Fire Marshal explains that new building techniques and tight financial resources mean a coordinated approach to reducing fire risk is imperative in 2015.

By Joseph E. Thomas, Jr., Maine State Fire Marshal

Over the past few months, I have watched and read with interest the stories of Maine communities struggling with budgets and citizen initiatives. Additionally another news article stated "Volunteer Fire Departments in Crisis." And recently, a fire in downtown Gardiner left the mayor to call the fire a "community disaster."

It seems that many communities are struggling with balancing the amount of tax dollars taken in and providing the necessary service back to citizens. Of particular interest to me as State Fire Marshal, are the communities' efforts in providing fire protection.

I have often wondered what the efforts of all Maine communities toward fire protection looked like. Through a variety of resources, I am able to finally get my head around what the fire problem looks like in Maine, what it costs to provide the protection against it and what the loss costs in both lives and dollars.

Using 2014 as the benchmark, the Fire Marshal's Office has put this picture into perspective. Through data available through the U.S. Census Bureau, I found that all Maine communities paid out \$137.18 million to provide traditional fire suppression services. In addition, State Farm Insurance Company, which has 60 percent market share of the fire insurance written on home policies, was able to take their losses in Maine, applying actuarial models to the other 40 per-

Joe Thomas has been in the fire service for 42 years, starting in 1973 with the Portland Fire Department and retiring as Chief of Department in 2000. Presently, the State Fire Marshal of Maine, he is a strong advocate of both passive and active fire and life safety measures presently available through building design, early warning devices and fire sprinkler systems.

AT THE CONVENTION

State Fire Marshal Joseph E. Thomas, Jr. will speak about Community Risk Reduction at Maine Municipal Association's 2015 Convention. His presentation is scheduled for 10:30 a.m. to 11:45 a.m. on Thursday, Oct. 8.

MMA's annual convention draws more than 1,000 municipal elected officials, managers, staff and exhibitors each year. This year, it will be held on Oct. 7-8 at the Augusta Civic Center. Program details and registration information can be start on P. 26 of this magazine and can be viewed at MMA's website, www.memun.org.

cent, and determine that the entire insurance industry paid out \$60.7 million in residential property loss to fire. It should be noted here that these fire events also accounted for 25 fatalities to civilians and one fire fighter died in the line of duty. When I look at these numbers I can't help but wonder: Is this really the best we can do?

The traditional approach to fire protection in Maine communities is, and seems to have always been, done through the equipment and personnel with the Fire Department. Suppression vehicles are purchased and firefighters, either career, part-time or volunteer, are called upon to supply enough water in gallons per minute to extinguish a fire raging in some property within the community. In addition to suppressing the fire, if lives are in jeopardy, rescue may be necessary as well.

The problem with relying on this strategy and methodology for the community's fire suppression activi-

ties, especially in current times, involves construction, contents, time and personnel. For the traditional suppression strategy to be effective, the department must receive notification in a timely manner, must respond in a timely manner, must have a fire situation where the fuel load burning is within the department's capabilities of control and extinguish and, lastly, the department must be able to utilize sufficient personnel to carry out the tasks needed.

Given current and existing conditions, traditional fire suppression measures are fighting an uphill battle.

Over the last decade we have seen a steady change in the residential fire environment. These changes include building larger homes, more open floor plans, the use of increased synthetic fuel loads and new construction using lightweight construction.

Studies show

Studies conducted by Underwriters Laboratories showed modern contents flashed in three minutes, 40 seconds. A test "legacy" content room flashed in a little over in 29 minutes, 30 seconds. Other UL tests have shown that unprotected modern floor systems (engineered wood "I" joist) collapsed in six minutes, compared to a legacy floor system (dimensional lumber 2 by 10) that collapsed in 18 minutes, 35 seconds.

In the very best scenario for fire departments, at six minutes from the call, the trucks may be just coming out of the station – and the newer building where they are going to fight the fire is already reaching a point of structural collapse.

After serving the fire service for 42 years and seeing the death and

destruction by fire over that time, I am convinced that our current strategy is flawed if we really are to make any difference with fire and life safety in all of our communities statewide. Given our typical fire-suppression strategy model, the time has come for fire chiefs, community administrators and elected officials to apply the approach of Community Risk Reduction and Fire Prevention Interventions to deal with the fire problem.

As we know, "risk" in emergency services applications is the vulnerability for harm or damage to life, property, or community vitality from naturally occurring or human created sources. The strategy of risk reduction uses prevention and mitigation strategies – augmented by fire suppression capabilities.

A community's vitality and safety from fire is contained in a multifaceted use of all risk reduction measures it has at its disposal. The intervention strategies should include:

- Education and behavior modification
- Engineering and technology (fire sprinklers)
- Codes, standards, ordinances and enforcement initiatives
- Economic incentives to support strategic initiatives
- An adequate level of suppression response capabilities as an intervention

Fire suppression is shown last on this list, but that does not mean it is unimportant. Adequate fire suppres-

sion is critical to this process. However, within the context of Community Risk Reduction, there are many more initiatives and actions that can be taken before the fire trucks respond.

I encourage community leaders to sit with their fire chiefs and code enforcement officers to determine how Community Risk Reduction strategies can and will make a difference for the protection of the community from fire presently and more importantly into the future. The Office of State Fire Marshal is here to assist communities

achieve their risk reduction potential. Together we can make each and every community risk safe.

Starting this fall, the Maine Fire Services Institute and the Office of State Fire Marshal will conduct workshops and training on Community Risk Reduction around the state. Initiatives involving Community Risk Reduction will be covered in detail during the MMA convention this Oct. 7-8. Any community that is interested should contact the Office of State Fire Marshal. ■



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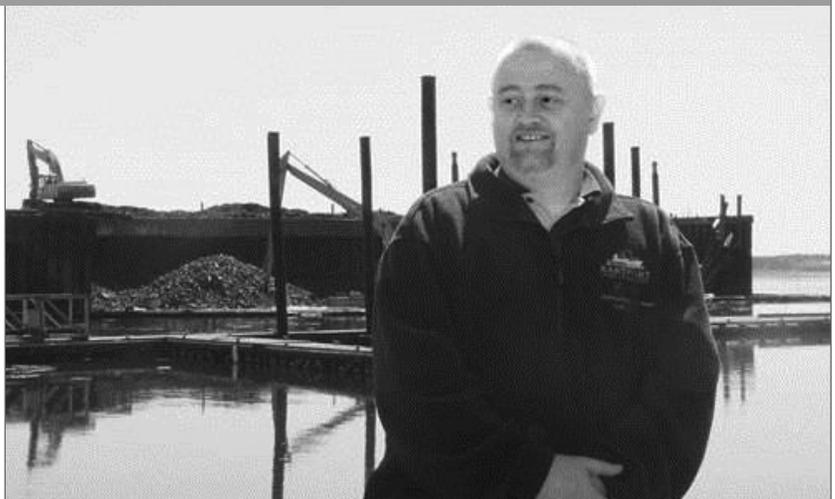
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A proactive and effective approach to tick and pest management is integrated pest management (IPM), which protects communities by following a rigorous plan to identify, monitor and, as much as possible, prevent pest problems. IPM programs support all the tools needed to keep playgrounds, recreational fields, schools, yards, and other places where grass meets wooded areas healthy and safe.

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Town meeting voters send school boards back to chalkboard

Other items include a new town hall in Casco, repairs in Bridgton and a comprehensive plan in Dresden. Madison voters endorsed county Sheriff's Department coverage.

By Liz Chapman Mockler

Maine's annual town meeting season wrapped up in June, with few exceptions, as voters took control of local purse strings in making final spending choices for the new fiscal year.

As usual, selectmen, councilors and budget committees won public support for nearly all of their recommendations. Likewise, most school budgets were nicked around the edges but ultimately endorsed by voters.

But increasingly this year, Mainers turned to education as the target of their money concerns. School budgets across Maine were rejected and many school districts continue this month to scramble for public support.

Those schools cannot spend more than they did last year before winning voter support for new budgets.

No area of the state was immune and no school district was too big to fail. Scarborough voters killed the city's initial \$43.5 million school proposal and then rejected a \$500,000 reduced version. The town council in mid-July scheduled a third school vote for Aug. 4.

In Madawaska, town meeting voters approved the \$6.1 million school budget, but in a subsequent vote, a different group of voters decided to continue the budget validation referendum process. That forces the school board to re-evaluate its budget and hold a separate budget referendum.

The mill town's school budget was cut by \$420,000 over the 2014-15 plan, according to Madawaska Superintendent Gisele Dionne.

"...Even though we have cut the budget, because of less carryover

(funds) and other revenue, we still had to ask taxpayers for more," Dionne said.

The northern Maine border town has lost significant tax revenue from the Twin Rivers Paper mill over several years, at the same time state education funding continues to slide.

This year, because of the town's lower value, school officials expect to receive more state school financing. Last year, the town held three school budget votes before gaining approval.

Dionne cited the acute turnover in school leadership – a dozen superintendents in as many years – as another challenge for the town.

"We've had 14 or 15 superintendents" who have served an average of one year since 2000, Dionne said. "That is not good for a community."

Summertime blues

In Veazie, outside Bangor, the \$4 million school budget didn't make it to voters before councilors and the school board disagreed over the bottom line. The budget was only resolved in a July 28 special town meeting, with voters settling for a small spending increase over what the municipal charter allowed.

"This is the first time this has happened," Veazie Town Manager Mark Leonard said, of the second school vote. He noted there was no discord over the \$2 million municipal budget proposal.

"I think people are frustrated with reduced (education) funding at the state level," Leonard said.

The town lost another \$156,000 in state school funding this year, he said.

Ellsworth residents voted down a proposed \$20 million budget with a voter turnout of 4 percent.

Voters in Belfast approved the proposed \$25.7 million RSU 71 budget, but Belmont, Morrill, Searsmont and Swansville residents tipped the tally and defeated the 2016 plan.

In Deer Isle, the \$7 million budget was defeated a week before the validation vote.

Voters in coastal Cushing, Rockland, Owls Head, South Thomaston and Thomaston voted down the RSU 13 budget of just under \$26 million in June. School officials pared a full million dollars off the proposal, which is set for a second voter validation vote on August 18.

Big deals

Casco voters approved selectmen's proposal to spend \$600,000 to build a new town hall and rejected a citizen-drafted plan to spend up to \$350,000 expanding the existing structure. The town will borrow the money over 15 years.

In Harrison, voters agreed to reserve \$580,000 for the coming year for road work, a pay loader, pickup truck and deferred maintenance.

Bridgton residents reaffirmed their year-old decision to spend \$400,000 repairing the town office. They rejected a citizen referendum to delay the repairs, as well as a petition to delay planned sewer system improvements – both recommendations of selectmen.

Damariscotta voters rejected a floor amendment to eliminate an inter-local agreement with neighbor Newcastle for public works services. After some discussion, residents agreed to continue the joint effort and raised \$363,000 for the town's share.

Standish residents agreed to spend \$442,000 to build a public beach on the western shore of Sebago Lake, in-

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

cluding a 1,200-foot access road. The land belongs to the Portland Water District, which will lease the property to the town for 25 years at an annual cost of \$100.

A federal labor assistance program will aid in designing the beach infrastructure, officials said. Voters also agreed to spend \$809,000 for road work and \$271,000 for a new ambulance and pickup truck, as well as fire station upgrades.

Policy questions decided

Important, expensive and sensitive policy issues also were considered by June voters. Among the results:

Brewer: Two charter amendment proposals were defeated when the voter turnout was far too low to enact changes even with strong support. One of the proposals would have eliminated the requirement that the school superintendent lives in Brewer. The second question would have allowed school board members to be recalled from office. The first change passed by a vote of 475-187; the second by 539-111. At least 1,261 votes were needed to make the votes official.

Dresden: Approved a comprehen-

sive plan for the first time since rejecting a state-endorsed plan 10 years ago.

Hope: Rejected a proposal for the town to take ownership of a former chemical plant on 12 acres, once a federal Superfund site. The vote was 33-28. Opponents worried about liability, while supporters wanted more control over the property.

Jay: Endorsed a new inter-local agreement with abutting Livermore Falls to share the cost and work of the two towns' wastewater treatment operation. The original agreement between the towns was inked in 1972 and re-signed in 1997. Livermore Falls voters also approved the pact in June.

Madison: Decided to switch po-

lice coverage to the county, rather than maintain a town department and force. The cost is \$850,000 for the first year, a savings of \$90,000 over the cost of running a local operation. The vote was 103-73. The change took effect July 1.

Topsham: Residents joined their neighbors in Richmond, Bowdoinham and Gardiner in approving the creation of a bicycle-pedestrian trail through the four towns. The inter-local agreement will link the Gardiner Kennebec River Trail to the Topsham bike path and on to the Androscoggin River Pedestrian Bike Path. The new trail will be called the Capital to the Coast trail system. ■

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Town meeting election results; our roundup, from across the state

By Liz Chapman Mockler

Following are among the municipal election results from June annual town meetings. Incumbent candidates who were not challenged are not listed.

Bridgton: Greg Watkins and incumbent Robert McHatton Sr. won the two open seats on the board of selectmen with 475 and 362 votes, respectively. Incumbent Robert Murphy lost by a single vote, while a write-in candidate received 198 votes.

Camden: Incumbents John French and Leonard Lookner were re-elected with 356 and 314 votes, respectively. They held off a challenger, who picked up 178 votes.

Eagle Lake: Linda Allison and Wendy Dube ran unopposed to replace two incumbent selectmen. Brett Labbe did not seek reelection after serving a three-year term. Debra Labbe resigned her seat in February 2014. Allison collected 314 votes; Dube won 254.

Falmouth: Voters returned Karen Farber to the town council and elected former Councilor Edward Kitchel to fill two open seats. Council Chairman Farber received 834 votes, while Kitchel received 768 votes. A third candidate garnered 373 votes. Kitchel replaces Sean Mahoney, who did not seek another term after serving three years.

Glenburn: Voters seated Christopher Grotton to replace outgoing Selectman Rhonda Curtis-Doughty. Grotton defeated a challenger by a vote of 145-28.

Harrison: Six-year Selectman Chairman William Winslow collected 169 votes to win re-election, while Archille "Archie" Belanger received 158 votes to take the seat vacated by Selectman Richard Sykes, who did not seek election after serving one year. Two other candidates received 129 and 114 votes.

Howland: Two incumbents and one newcomer won three open seats

in a field of seven candidates. Incumbents Joseph Dunn collected 84 votes, while counterpart Thomas Hunter garnered 56 votes. First-timer Andrew LeBlanc won the most votes with 100 to replace William Lloyd, who did not seek reelection after serving a two-year term. The four remaining candidates won 52, 50, 49 and 26 votes.

Kingfield: Brian Hatfield collected 51 votes to defeat a challenger by 16 ballots to replace Selectman Mervin Wilson. Wilson did not seek reelection after serving for six years.

Raymond: Incumbent veteran Selectman Joseph Bruno defeated former longtime Town Clerk Louise Lester, 273-243, to win another term. Lester did not rule out another run for office.

Somerville: First Selectman Susan Greer defeated a challenger, 53-33, to win reelection. Greer previously served three consecutive one-year terms before winning her first three-year term in June. Road Commissioner Jesse Turner held off three challengers to win re-election with 41 votes.

North Yarmouth: Despite entering the selectmen race too late to have her name printed on the ballot, former Selectman Jeanne Chadbourne collected 155 write-in votes to defeat Keith Thompson, who garnered 145 votes. Chadbourne replaces Paul Napolitano, who did not seek re-election

after serving nine years.

Standish: Isabel Higgins defeated Town Councilor Steven Nesbitt, 476-432, to replace termed-out Councilor Philip Pomerleau, while Kimberly Pomerleau held off two challengers to take Margaret Spencer's seat. Both Pomerleau and Spencer were termed-out of office under new limits set by referendum a year ago. Under the new rules, councilors may serve only two consecutive, three-year terms before having to sit out for three years before running again. Meanwhile, Lester Ordway ran unopposed and collected 309 votes to win Nesbitt's seat. After the election, councilors named Nesbitt to fill the vacancy created by the death of Councilor Wayne Newbegin in May.

Waldoboro: Abden Simmons and Katherine Wichenbach were the top vote-getters in a four-way race for two seats. Simmons received 398 votes, while Wichenbach collected 359. A third candidate received 353 votes, while incumbent Ted Wooster garnered 268. Selectman Carl Cunningham did not seek reelection after serving a three-year term.

Madawaska: Brian Thibeault and Eric Morin were elected to two selectmen seats with 379 and 317 votes, respectively. Incumbent Brenda Theriault received 231 votes. Veteran Selectman Ivan Fletcher did not seek re-election. ■

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The simple secrets to creating a successful municipal brand

Branding efforts can fail big-time when important stakeholders are not involved. Getting buy-in requires effort, but it always pays off in the end.

By Nancy Marshall

All municipalities need a brand. A brand is more than a logo or a tagline. It communicates what makes a community unique and appealing through a combination of visuals and words. A strong brand can help boost economic development, tourism and the sense of community residents enjoy.

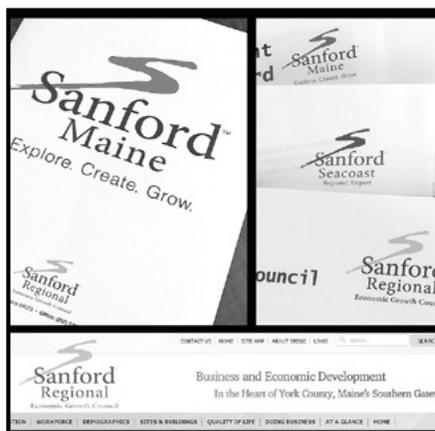
Think about how many choices businesses have when deciding where to locate. People have just as many options when it comes to shopping, dining and choosing a place to live. Use your brand to tell them why your municipality should be their first choice.

There are a number of Maine municipalities that have successfully used branding to help reinvent themselves and their economies. The best example is the branding initiative of former mill towns Lewiston and Auburn with “LA, It’s Happening Here.” Sanford, another former mill town, also recently adopted its own brand, developed with Nancy Marshall Communications, as a tool to build awareness of its assets and promote new economic growth.

Branding basics

A brand platform, at minimum, should consist of a logo, tagline and brand manifesto that support what your city or town represents and what sets it apart from other municipalities. Sanford’s logo is a sweeping “S.” Its tagline is “Explore. Create. Grow.” Together, they evoke the creativity and willingness to adapt that represent

Nancy Marshall is founder and CEO of Nancy Marshall Communications, a 24-year-old public relations and integrated marketing communications agency located in Augusta. She is known as The PR Maven®, and speaks to audiences locally and nationally on public relations and marketing. Her websites are at www.marshallpr.com and www.prmaven.com.



Sanford’s history and its future.

A brand manifesto is a municipality’s story. Do you have a rich history? Are there influential businesses that have chosen to locate within your boundaries? Is your downtown home to architecturally significant buildings? Do you possess exceptional cultural offerings? Is there anything unique or quirky about your area others would find interesting? These are all things to consider including in a brand manifesto.

Brand manifestos are written in narrative form. You want readers to be able to envision what it is like to work, live and play in your city or town – and imagine themselves there being part of it all. It’s also important to be authentic.

Cleveland, Ohio’s brand manifesto, part of the “This is Cleveland” campaign, is a good example of how it is done. Like many Maine cities, Cleveland was hit hard by the decline of U.S. manufacturing. Cleveland’s brand manifesto doesn’t gloss this over. Rather, it embraces the city as a hip, gritty place to live that also happens to have great architecture, culture, sports and a growing food scene.

Other branding tools include a message map and style guide.

The message map breaks the brand manifesto down into a graphic consisting of one central message surrounded by secondary messages that support it. It includes all important points your municipality should be conveying to its target audiences. The message map is used by all within your city or town responsible for communicating with the media, business prospects, public interest groups, economic developers, and other key audiences. It helps ensure everyone is singing off the same song sheet, no matter who they are communicating with or how they are communicating.

Once you have all your brand elements in place, you want all organizations with an interest in promoting your brand – such as the local Chamber of Commerce and Convention & Visitors Bureau, local businesses and economic development groups – to use those elements and use them consistently.

A style guide will protect the uniformity of your brand by providing specific guidelines regarding its usage. These include the minimum size at which the logo should appear, brand-specific colors and fonts, and usage guidelines for specific mediums, including Web and print. Style guides can be simple or highly detailed, depending on the number of entities that will be using a brand and the mediums that will be used to convey it.

Getting important buy-in

Brands almost always fail, and fail epically, when those at the top don’t seek input or involvement from stakeholders.

Think about the great pride Mainers feel for their home state and com-

munities. People don't like it when officials dictate how their home will be represented to the outside world. Critical letters to the editor begin appearing in the paper, the mayor's inbox is flooded with angry messages, and community members begin countering with their own unsolicited branding ideas. We've all seen it happen.

Involving stakeholders is well worth the extra time and expense. Those who feel they were part of the process are much more likely to embrace the brand and its purpose.

Setting the stage for success

To set the stage for approval and acceptance, involve residents and businesses in the branding process from the beginning. This can be achieved through focus groups, email surveys and town meetings seeking input and, later in the process, vetting the brand with a committee including representation from each stakeholder group before it becomes final. Keeping the media informed of the branding process as it progresses is also a good practice.

Your municipality has chosen a brand and successfully unveiled it to

the public. Everyone is pleased and proud. Now it's time to put that brand to work.

Having a good strategy for promoting a brand is equally as important as having a good brand. Start with a clearly defined goal and supporting objectives that are realistic and measurable. For municipalities building a brand from the ground up, increasing awareness is often the crux of the goal.

Since brands take time to gain traction, consider developing a strategy that spans three years, setting annual benchmarks that will help meet the overall goal by year three.

Tactics should represent an integrated, multi-platform approach. Re-

member, the more times people hear and see your brand and the more ways in which they are exposed to it, the more likely they are to remember it, talk about it, and act as a result of it.

Depending on the resources available to you, tactics can encompass traditional marketing, Internet marketing, social media, media relations, advertising, public speaking, sponsorships, community outreach, and special events.

In addition to the actual methods you will use to promote your brand, the strategy should also include a timeline broken out by month or quarter, a detailed budget and measurements of success tied to each tactic. These



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components will ensure implementation stays on track. You'll also be able to gauge what tactics are working the best and what approaches may need to be adjusted as you execute your plan.

Recruiting brand partners

Identifying partners to promote your brand and outlining potential opportunities to collaborate (allowing you to maximize your budget and effectiveness) should also be part of the strategy. Partners can include local businesses, economic development entities, nonprofits that serve your municipality, regional and state tourism associations and the organizers of festivals and special events held in your area.

Through partnerships, Sanford's brand has been successfully integrated into the work of the city's growth council, administration, airport, recreation department, public works department, industrial development corporation and chamber of commerce. Its logo has been used by the Sanford School Department, occupies the outfield fence at Goodall Park, decorates a city-wide trails map, and is featured on light post banners downtown. It has also been added to the branding for Synergize Sanford and the Sanford International Film Festival.

The most natural brand partners are your own residents and businesses. They've already made the choice to locate within your municipality and recognize the benefits of being part of your community. Encourage and reward their enthusiasm, and they will become your biggest fans. While no substitute for face-to-face contact, social media is a great time- and cost-efficient tool to engage them. Followers who actively engage with your municipality by liking, commenting on and sharing your posts via platforms like Facebook, Twitter, Instagram and Pinterest will boost your exposure and appeal while encouraging more social media users to connect with you.

Branding and your website

Your website is the single most important investment you can make in your brand and in your marketing overall. Look at your website as the hub of the marketing "wheel" with all other marketing efforts serving as the spokes, helping to drive traffic to the site.

It's a vital information source that can improve people's perceptions of what you have to offer them and how they interact with your city or town, providing them access to information about your municipality whenever and wherever they want it. The great thing is you have full control over how your brand will be represented through the content and design of your website.

Given the importance of the Web, website improvements (or website creation if you don't have one) and ongoing website analytics to determine how visitors are interacting with your site should be essential components of your strategy. This will provide a strong foundation for promoting your brand and improving the experience users have when they visit the site.

Having a user-friendly website is also good customer service. According to Forrester Research, 72 percent of online consumers prefer to use a company's website to get answers to their questions rather than contacting them by phone or email. If you are competing against another municipality for a business development project, a family looking to relocate, or visitor dollars, the more information you can offer online the more attractive your locale will be.

Content users will appreciate includes up-to-date information about meetings, permits, licenses, your educational system, a listing of municipal

departments and officials, services, and shopping, dining and tourism amenities. For economic development audiences, include information on the cost of doing business in your area, tax credits and grants, open commercial sites, and testimonials from local businesses. Organizing information by audience – residents, businesses, and visitors – will make it easy for users to find exactly what they are looking for quickly.

Building a community

Good branding will make your city or town shine.

Don't assume everyone, even your own community, already knows about its distinctive qualities. Get out there and tell the story. Embrace those that already love your area and recruit them to help spread the word. Once you've got the creative pieces in place, the key to building a powerful brand is establishing a long-term strategy that outlines the tools and methods you will use to promote it. Even if you're operating on a shoestring budget, you can make a substantial impact on awareness by forging partnerships with the many entities and individuals that have a stake in your municipality's success. Consider Lewiston-Auburn and Sanford. Neither could have accomplished what they have without the buy-in and support of their stakeholders. ■

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*Christopher Lockwood,
Executive Director*

From all of us at MMA



MAINE MUNICIPAL ASSOCIATION

Christopher Lockwood's Retirement, Conference Center Event

On July 30, dozens of municipal officials from across the state gathered at Maine Municipal Association in Augusta to celebrate the career of Executive Director Christopher G. Lockwood, who will retire on Aug. 21 after 36 years of dedicated service. They were joined by Chris' family, friends, colleagues and MMA staff. MMA's Executive Committee also formally named our meeting and event center, which opened in December 2009, the "Christopher G. Lockwood Conference Center."



(Photos by Ben Thomas)



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2015 MMA Convention

October 7-8, 2015

Augusta Civic Center, Augusta, ME



Keynote – Eric Klinenberg **Going Solo: A Demographic Sea Change**

Wednesday, October 7 – 9:00-10:15 a.m.

Our special guest is Eric Klinenberg, a New York University professor whose ground-breaking demographic research and book – “Going Solo: The Extraordinary Rise and Surprising Appeal of People Living Alone” – holds dramatic implications for town and city officials and the important work that we do.

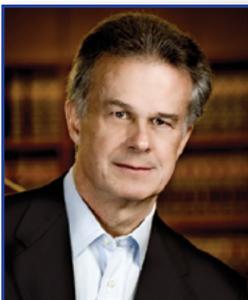
An internationally recognized and oft-interviewed expert on sociology and American demographics, Eric’s presentation is sure to challenge the conventional wisdom about living in families and separately. He will also explore the trend’s effects on economic development, planning, transportation and even fire-rescue and police service.



Municipal Collaboration: Real-Life Case Studies

Wednesday, October 7 – 10:30-11:45 a.m. – FEATURED SPEAKER

Our featured speaker this morning is Suzanne Leland, a professor at the University of North Carolina at Charlotte who has worked hands-on with municipal collaboration and consolidation projects in Kansas, Kentucky and elsewhere in the U.S. What works? What doesn’t? What should local and state leaders really expect from collaborative efforts? Suzanne will bring hard facts and data to this discussion, which comes at an important point in Maine government and politics.



Killer Show: Lessons from the Station Nightclub Fire

Thursday, October 8 – 9:00 – 10:15 a.m. – FEATURED SPEAKER

In recognition that this is National Fire Prevention Week, our featured speaker this year is John Baryllick, an attorney who represented many families whose loved ones died in the fire and a sought-after lecturer on safety, medical and legal issues. On Feb. 20, 2003, the world was stunned by the news of a tragic fire at The Station nightclub in West Warwick, R.I. This presentation analyzes the causes of that fire, conditions that contributed to its severity, and will include discussion of the aftermath and what can be done to prevent similar catastrophes.



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2015 MMA Convention

General Sessions & Events *(preliminary)*

Wednesday, October 7, 2015

7:30 a.m. Registration Begins

7:30 Continental Breakfast

9:00 – 10:15 a.m. WELCOME AND KEYNOTE SPEAKER

Eric Klinenberg – Going Solo: A Demographic Sea Change

Our special guest is Eric Klinenberg, a New York University professor whose ground-breaking demographic research and book – “Going Solo: The Extraordinary Rise and Surprising Appeal of People Living Alone” – holds dramatic implications for town and city officials and the important work that we do.

An internationally recognized and oft-interviewed expert on sociology and American demographics, Eric’s presentation is sure to challenge the conventional wisdom about living in families and separately. He will also explore the trend’s effects on economic development, planning, transportation and even fire-rescue and police service.

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

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

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

Municipal Collaboration: Real-Life Case Studies

Our featured speaker this morning is **Suzanne Leland**, a professor at the University of North Carolina at Charlotte who has worked hands-on with municipal collaboration and consolidation projects in Kansas, Kentucky and elsewhere in the U.S. What works? What doesn’t? What should local and state leaders really expect from collaborative efforts? Suzanne will bring hard facts and data to this discussion, which comes at an important point in Maine government and politics.

Presenter: Dr. Suzanne Leland, Professor at the University of North Carolina at Charlotte and Director of its Gerald G. Fox Master of Public Administration Program.

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

Credit Card Use: Growing & Inevitable

Dozens of Maine municipalities accept credit card these days – basically, because citizens expect it. They don’t necessarily work for major items, like paying property taxes, but they do for many other transactions. Plus, towns and cities themselves are using credit card and e-payments more. This workshop offers valuable tips on what to do and what not to do when accepting and issuing credit cards.

Presenters: Androscoggin Bank.

Certification: Valid for 1.25 MTCMA Certification credits in the following category: Finance/Budget.

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

Noon – 1:30 p.m. Awards Luncheon

1:30 – 2:30 p.m. Concurrent Sessions

MMA Annual Business Meeting

Please join us as President Stephan Bunker, Vice President Laurie Smith and Deputy Executive Director Steve Gove shed light on MMA’s upcoming priorities and issues that arose in 2015, including the legislative fight to preserve revenue-sharing funds and MMA’s role in a court case over General Assistance spending and qualifications.

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

Preparing for a DOL Safety Audit

This session will discuss the Department of Labor’s SafetyWorks! program which is designed to help employers (at no costs) correct hazards and reduce their injury and illness rates. We will also discuss public sector enforcement, the most frequently issued citations and voluntary protection programs (SHAPE).

Presenter: Steven L. Greeley, Director, Maine Department of Labor Workplace Safety & Health Division, Augusta.

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

Municipal Perspectives on Broadband

Efforts at the municipal level to expand high speed internet throughout Maine continue to gain steam, although financial resources at the state level to assist with these expansions do not appear to be forthcoming. Representatives from towns and cities working to stimulate expansion will share the lessons they have learned and offer suggestions based on their experiences.

Moderator: Garrett Corbin, Advocate, State and Federal Relations, MMA.

Panelists: TBD

2:30 – 2:45 p.m. Break/Visit with Exhibitors

2:45 – 4:00 p.m. Concurrent Sessions

Freedom of Access: How Is It Working?

Maine’s Freedom of Access Act has been around a long time, but it’s often updated and modified. Changes also come in the way that citizens, media and outside organizations “use” the law. This panel of experts represents differing viewpoints on open records and open meetings. Come hear what these panelists have to say.

Presenters: Brenda Kielty, FOA Ombudsman, Maine Attorney General’s Office; Nathan Poore, Manager, Town of Falmouth; Adria LaRose, Attorney, Eaton Peabody, Bangor.

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

Climate Change’s Impact on Your Community

Many planners, scientists and meteorologists assure us that climate change is happening. They also say climate change will have – and is having –

Wednesday, October 7, 2015

widespread municipal consequences here in Maine, from rising ocean levels to turbulent weather patterns. Those developments, in turn, affect low-lying coastal areas but also public works and planning decisions no matter where you live and work.

Moderator: Elizabeth Hertz, Director, Municipal Planning Assistance Program Maine Department of Agriculture, Conservation and Forestry;

Panelists: Matt Lutkus, Town Manager, Damariscotta; Maureen O'Meara, Town Planner, Cape Elizabeth .

The ABCs of Health Care

Do you know the difference between an HRA and an HSA? How about

an FSA? And what's the big deal about the ACA, anyway? Come to this informative session and learn more about the Alphabet Soup of Health Care, and why this area is so important for municipal leaders and employees.

Presenter: Anne Wright, Assistant Director, Maine Municipal Employees Health Trust.

Certification: Valid for 1.25 MTCMA Certification credits in the following category: *Human Resources.*

4:00 – 5:30 p.m. Member Appreciation Reception

Thursday, October 8, 2015

7:30 a.m. Registration Begins

7:30 – 9:00 a.m. Continental Breakfast

9:00 – 10:15 a.m. FEATURED SPEAKER

John Barylick – Killer Show: Lessons from the Station Nightclub Fire

In recognition that this is National Fire Prevention Week, our featured speaker this year is John Barylick, an attorney who represented many families whose loved ones died in the fire and a sought-after lecturer on safety, medical and legal issues.

On Feb. 20, 2003, the world was stunned by the news of a tragic fire at The Station nightclub in West Warwick, R.I. This presentation analyzes the causes of that fire, conditions that contributed to its severity, and will include discussion of the aftermath and what can be done to prevent similar catastrophes.

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

10:00 – Noon Solid Waste Meeting (at MMA)

Researchers from the University of Maine's George J. Mitchell Center for Sustainability Solutions will present findings from their report regarding the future of solid waste management. The report ("The Future of Materials Management in Maine") was developed after conducting five regional meetings on the subject with a broad array of solid waste management stakeholders, including many municipal officials. The session will be held in the Christopher G. Lockwood Conference Center at the MMA building. Researchers will seek feedback from municipal officials at the interactive session, including expressions of interest in partnering with future initiatives.

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

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

Community Risk Reduction & Fire Safety

Fighting fires gets all the media and public attention, but the smart money also gets spent on prevention – which touches on many aspects of municipal government. This session takes a new look at community risk reduction in relationship to traditional fire suppression. It may leave you feeling differently about fire safety in your community.

Presenter: Maine State Fire Marshal Joseph E. Thomas, Jr.

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

Strategic Planning Done Right

It's not easily done in these fast changing times, but this session will examine the importance of strategic planning for municipalities of all sizes. How do you start the process? How do you include the public? And, of course, how do you pay for it all, especially if you come up with or get presented with popular "big" ideas?

Presenters: David Nadeau, Councilor, Town of Windham; James Bennett, Manager, City of Biddeford.

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

Effective Meeting Facilitation

Are your meetings forced, stiff, dull or indecisive? Worse yet, did you just answer "all of the above?" This workshop focuses on how to lead and guide effective meetings, a developable skill that can make a major difference to your town, city or municipal department.

Presenter: Merlene Sanborn, Assistant Dean of Graduate and Continuing Studies, Thomas College, Waterville.

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

11:45 a.m. – 12:45 p.m. Networking Luncheon

12:45 – 1:15 p.m. Dessert Social/Grand Prize and Exhibitor Prize Giveaways – Exhibit Hall

1:15 – 2:15 p.m. Concurrent Sessions

Conflicts of Interest: How and Why to Avoid Them

There are many rules and laws that govern what municipal officials can and cannot do regarding conflicts of interest, when their personal interests and public roles come into conflict. This workshop will walk attendees through common scenarios and offers ways to foresee sticky situations and to avoid them.

Presenters: Phil Saucier and Mary Costigan, Attorneys, Bernstein Shur, Portland.

Certification: Valid for 1.00 MTCMA Certification credits in the following categories: *Legal, Elected Relations.*

Thursday, October 8, 2015

Conversing with State Agencies

There are times when policy-level representatives of state agencies would like to have a conversation with policy-level representatives of municipal government. This session sets the stage for three 20-minute conversations between state agency officials and municipal managers, selectmen, councilors and other municipal leaders. One conversation seeks municipal feedback on ideas to avert an anticipated problem in the near future. Another looks for ideas to avoid the need for legislation to address issues of state agency concern occurring in real time.

Moderator: Geoff Herman, Director, State & Federal Relations, MMA

Panelists: Matthew Dunlap, Maine Secretary of State; David Ledew, Director, Property Tax Division, Maine Revenue Services Department; Dan Andrews, General Manager, InforME.

Trends in Municipal Manager Searches

One of the most important things that many elected officials do – if it isn't the most important – is evaluate the municipal manager. But the process and the prospects for mutual success do change over the years, as influenced by the availability of qualified managers, the economy, pay scales and more.

Presenters: David Barrett, Director of Human Resources and Personnel Services, MMA. Other presenters TBD.

Certification: Valid for 1.00 MTCMA Certification credits in the following category: *Human Resources*.

2:20 – 3:30 p.m. Ask the Experts: Interactive Discussions

New Approaches to New Energy

As technology improves and municipal budgets tighten even more, communities are looking at ways to control energy costs, well into the future. This workshop provides a working overview of alternative energy sources for municipalities to consider. It also touches on start-up costs and financial expectations.

Presenter: Chris Dwinal, PE, Senior Project Manager, Wright-Pierce Engineering.

Right to Know

Attorneys from MMA's Legal Services Department offer Right to Know training that is required for both elected officials and municipally appointed Public Access Officers.

Presenters: Bill Livengood, Director, Legal Services, MMA; Richard Flewelling, Assistant Director, Legal Services, MMA.

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

Updating the MMA Salary Survey

MMA's Salary Survey – an important tool for elected officials and municipal staff – returns in 2016, and it will be better than ever. Join us to learn more about the new and improved Salary Survey, and to offer your suggestions and insight into what questions and data should be included.

Presenters: Kristy Gould, Director of Human Resources, City of Augusta and President, Maine Local Government Human Resources Association; Eric Conrad, Director of Communication & Educational Services, MMA.

3:30 p.m. Adjourn

Affiliate Association Programs

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

Maine Association of Assessing Officers (MAAO)

Wednesday, October 7

1:30 – 4:00 p.m.: *What's New with BETE!*

Presenter: Joe Salley, Maine Revenue Services.

Certification: This session approved for 2.5 CMA/CAT recertification credit through Maine Revenue Services.

Maine Animal Control Association (MACA)

Thursday, October 8

1:15 – 3:20 p.m.: *The Mutual Expectations Between the Animal Control Officer and the Municipality*

Presenter: Sue Milligan, President of MACA; Pat Faucher, Vice President of MACA.

Maine Association of Local Emergency Managers (MALEM)

Thursday, October 8

1:15 – 2:15 p.m.: *Non-Disaster Grants for Emergency*

Preparedness and Performance – Get Your Community The Funding it Deserves

Presenters: Alex Hammerle, City of Sanford; Robert Bohlmann, Retired EMA Director, York County & FEMA Reservist.

Maine Association of Planners (MAP)

Thursday, October 8

10:30 – 11:45 a.m.: *A Conversation about Municipal Planning*

Presenters: Beth Della Valle, AICP, Planning Consultant; Rich Roedner, Town Manager, Topsham; Judy East, Washington County COG; Amanda Bunker, Planning Consultant; Dennis Douglas, Code Enforcement Officer, Lisbon.

Credits: This session approved for 2 land-use credits for Code Enforcement Officers.

Maine Chapter of American Public Works Association

Thursday, October 8

8:00 – Noon: *MCAPWA Annual Meeting & Sessions*

8:30 – 8:45 a.m.: *Opening Remarks, Election of Officers, and General Business Meeting*

Affiliate Association Programs

8:45 – 9:30 a.m.: Pavement Preservation – Keeping Ahead of the Curve

Presenter: Ron Simbari, Director of Marketing, All States Materials Group

10:00 – 10:45 a.m.: Proper Pavement Preservation

Presenter: Allan Viall, Seal Coating, Inc.

10:45 – 11:00 a.m.: Discovering the APWA National Website

Presenter: Doug Howard, South Portland Public Works.

11:00 – Noon: What's Happening at MaineDOT?

Presenter: MaineDOT Commissioner, David Bernhardt

Noon: Luncheon at the Augusta Elks Lodge (pre-registration required)

Maine Chapter of IAAO

Wednesday, October 7

1:30 – 4:00 p.m.: What's New with BETE!

Presenter: Joe Salley, Maine Revenue Services.

Certification: This session approved for 2.5 CMA/CAT recertification credit through Maine Revenue Services.

Maine Fire Chiefs' Association (MFCA)

Wednesday, October 7

10:00 – 11:45 a.m.: MFCA Annual Membership Meeting and Presentation: Maine Fire Chief of the Year Award.

Noon: Maine Fire Chief of the Year Awards Luncheon

Maine Local Government Human Resources Association (MLGHRA)

Wednesday, October 7

10:30 – 11:45 p.m.: Workplace Investigations

Presenter: Peter D. Lowe, Attorney, Brann & Isaacson

1:30 – 2:30 p.m.: MLGHRA Annual Meeting

Maine Resource Recovery Association (MRRRA)

Wednesday, October 7

2:45 – 4:00 p.m.: Tomorrow's Solid Waste Solutions - Today!

What does "materials management" mean and how can municipalities achieve "zero waste"? The Maine Resource Recovery Association's new staff will bring you up-to-date on MRRRA's growth into the Maine Materials Management Association and the Mitchell Center's project on evolving Maine's solid waste (materials) management policy. Mr. Kolling-Perin will discuss the concept of "zero waste" and the reduce, reuse, recycle steps municipalities can take along the path to sustainable materials management.

Presenter: MRRRA staff and Joshua Kolling-Perin, WasteZero.

Maine Town, City & County Management Association (MTCMA)

MTCMA Certification: See *general sessions* for additional MTCMA Certification points.

Wednesday, October 7

1:30 – 2:30 p.m.: Talking to Municipal Managers about the Future of Assessing

MTCMA Certification: This session approved for 1 credit Finance/Budget categories.

Maine Town & City Clerks' Association (MTCCA)

Wednesday, October 7

10:30 – 11:45 a.m.: State Agency Updates

1:30 – 4:00 p.m.: The Ins and Outs of the DS200!

Presenter: Julie Flynn, Deputy Secretary of State, State of Maine

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

Overnight Accommodations

There is a Room Block (under Maine Municipal Association) at the BEST WESTERN PLUS, Augusta Civic Center Inn, Augusta, ME. 110 Community Drive, Augusta, ME 04330, **TEL:** (207) 622-4751 / **FAX** (207) 622-3108 **EMAIL:** info@augustaciviccenterinn.com

Reservations can be made by calling (207) 622-4751 or online by clicking here: <http://book.bestwestern.com/bestwestern/US/ME/Augusta-hotels/BEST-WESTERN-PLUS-Augusta-Civic-Center-Inn/Group-Hotel-Overview.do?propertyCode=20023>

Rate: \$72.00/night (All prices are subject to Maine State Occupancy Tax – current rate is 8%)

Check-in time: 3:00 p.m. **Check-out time:** 12 noon

****All the reservations must be received at least two (2) weeks prior to your arrival date in order to insure availability. Registrations made after Tuesday, September 23, 2015 will be made on a space available basis.****

If requesting tax exemption, you will be asked to provide your tax exemption certificate and municipal payment (municipal credit card or check) at the time of check-in.

Attendee Registration Form

MMA Convention – Augusta Civic Center – October 7 & 8, 2015

One registrant per form (please photocopy for additional registrations)

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

I am a current member of MMA's Legislative Policy Committee.

I plan to attend (choose ONE): Wed 10/7 Thur 10/8 Both Days

CONVENTION REGISTRATION FEES (For one or both days)			Cost
<input type="checkbox"/> MMA Members	Pre-Registration - received by 9-12-15	\$ 70.00	
<input type="checkbox"/> MMA Members	Registration - after 9-12-15	\$ 85.00	
<input type="checkbox"/> Non-members	Pre-Registration -received by 9-12-15	\$ 140.00	
<input type="checkbox"/> Non-members	Registration - after 9-12-15	\$ 170.00	

MEALS		Cost
WEDNESDAY LUNCHEON (OCT 7):		
<input type="checkbox"/> Awards Luncheon (Buffet) – Civic Center (North Wing)	\$ 17.00	
THURSDAY LUNCHEONS (OCT 8):		
<input type="checkbox"/> Networking Luncheon (Buffet) – Civic Center (North Wing)	\$ 17.00	
<input type="checkbox"/> Maine Chapter of American Public Works Association (MCAPWA) – Augusta Elks Lodge	\$ 18.00	
Civic Center Luncheons: Due to ticket demand, there are two luncheon rooms - assigned on a first-reserved, first-served basis. There will be a live video feed of the presentations in the 2nd luncheon room.		
TOTAL (Registration Fee & Meals) \$		

SPECIAL EVENTS - for Wednesday, October 7 and Thursday, October 8

For planning purposes, please select which complimentary activities you plan to attend:

Member Appreciation Reception on Wednesday 10/7. Dessert social on Thursday 10/8.

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

(*You will be invoiced after Convention – **Please send a copy of this registration form with payment)

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

Signature: _____ Date: _____

Please make check payable to Maine Municipal Association

Questions/Cancellations: Please call Louise Ridley at MMA, 1-800-452-8786. Notification must be given three business days in advance of the start of Convention to obtain a refund. All cancellations are subject to a \$10 processing fee. Registrations may be transferred to another official or employee. Please inform us of any special dietary needs or special requirements you may have due to a disability.

Please keep a copy of this form for your records.

Maine Municipal Association Ethel Kelley Memorial Award

...MMA's Most Prestigious Award

NOMINATIONS BEING ACCEPTED

Deadline for Receipt of Nominees – Friday, August 28, 2015.



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

In celebration of MMA's 50th Anniversary in 1986, the Association honored Ethel Kelley's memory by recognizing other volunteer or employed municipal officials of the same character and dedication. This year MMA will recognize its 30th Recipient!

CRITERIA: Do you know someone in your municipality who...

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

MMA wants to know about them! Send your nomination and give MMA the opportunity to recognize their achievement and dedication to local government.

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

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

PRESENTATION: The Award will be presented at the MMA Annual Convention during the Awards Luncheon with the Recipient's family and friends, coworkers and the statewide municipal family present. The MMA Awards Luncheon is scheduled for **Wednesday, October 7, 2015 at 12:00 p.m. at the Augusta Civic Center.**

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



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LOCAL GOVERNMENT
begins with you.

Maine Municipal Association Ethel Kelley Memorial Award

NOMINATION FORM

**** Due Date – Friday, August 28, 2015 ****
(Please complete all applicable sections)

Nominee's Name: _____

Municipality Served: _____

LIST MUNICIPAL POSITIONS (Please include information relating to services provided to your municipality as well to other municipalities):

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

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

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

Total Length of Local Government Service: _____

Membership in Professional Associations:

Community Service and Recognitions Received:

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

Signed by:

Name: _____

Title: _____

Municipality: _____ Date: _____

Name: _____

Title: _____

Municipality: _____ Date: _____

Please complete and return with up to (5) supporting letters. ***The supporting letters are critical to your success.*** Care should be taken to describe in detail why your nominee should receive MMA's most prestigious award. Send completed Nomination Form and letters by **Friday, August 28, 2015** to:

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

PEOPLE



Ryan Pelletier

Ryan Pelletier is the town manager for Frenchville, taking up his duties last March. Pelletier, 42, had worked for more than two decades in road construction, most recently as project manager for Soderberg Construction, and said, "I was looking for a different career. I am ready for a more administrative path." A native of Madawaska, Pelletier said his numerous contacts with municipal and state officials should come in handy, and that he expects to continue drawing on his experience. "We have a lot of road issues in Frenchville," he said. "We have 28 miles of roads, and 20 miles of them are in depleted condition, in need of serious attention."

Patricia Blanchette resigned weeks before the end of her eighth straight Bangor City Council term in order to move to Florida before another Maine winter arrives. Blanchette, 72, who also served four terms in the Maine House of Representatives, bought a home in the Sunshine State and hopes the warmer climate will give her a new lease on life. She said last year's long bitter winter "pushed her" to make the hard decision to leave Bangor and its people. Her family lives in Florida; she will live within eight miles of her son.

Angus Jennings has been hired as the new Hampden town manager, replacing longtime Town Manager **Susan Lessard**. Jennings is owner of the Concord, Mass.-based A. G. Jennings Consulting Firm, which specializes in planning and zoning, as well as real estate. Jennings has broad municipal experience, serving as director of land use planning for Westford, Mass., town planner in Marshfield, Mass. He was scheduled to start his new job on Aug. 24. Lessard had announced she wanted to retire at the end of June, but agreed to stay until her replacement was hired.



Angus Jennings

Kennebunk Deputy Police Chief **Daniel Jones** was named the new police chief

in neighboring Gorham. He replaces Lt. **Christopher Sanborn**, who worked as acting police chief after the retirement of Chief **Ronald Shepard**. Jones has worked as Kennebunk's deputy chief since 2014 and has 25 years of law enforcement experience in Maine and Florida.

Saying he hoped to live in Falmouth another 70 years, former Town Councilor **William Lunt III** accepted the town's Citizen of the Year award during a June banquet. Lunt, 72, said he dedicated so much of his life to public service "for love of the town." Lunt is a former planning board and board of zoning appeals board member. He has been instrumental over many years in developing and recommending changes to the town charter. Lunt has been involved in local government since his teen years. His father is one of the founding drafters of the town charter.

The Presque Isle council promoted Deputy City Manager **Martin Puckett** to the top job, replacing **James Bennett**, who was set to start his new job as Biddeford manager in mid-August. Puckett, a Hancock native, is former manager of Sangerville, Livermore Falls and the tri-town government of Mapleton, Chapman and Castle hill outside Presque Isle. Puckett is an active leader and volunteer in statewide municipal groups. He earned a master's degree in public administration from the University of Maine.

The Bangor Daily News in July featured 87-year-old **Edna Mitchell**, who continues to work as an EMT and ambulance driver for the Liberty Fire Department. Reportedly the state's oldest EMT, Mitchell

said she was first interested in medical care during World War II. She has been certified for nearly 40 years and said she has no plans to let up.



Michael Starn

Hallowell City Manager **Michael Starn** will retire in October after a nearly 40-year career in Maine municipal government. Manager since 2011, Starn worked for 34 years for the Maine Municipal Association. He served as director of communication and educational services when he retired from MMA. He agreed to manage Hallowell for several years as it worked through major municipal concerns. Starn and the council hope to find his replacement before he leaves to ensure a smooth transition.

A veteran police administrator has been hired as the new Bridgton Police Chief. **Richard Stillman** resigned his position as Walpole, Mass., police chief to take the chief's job in Bridgton. He replaces **Kevin Schofield**, who accepted the job of Windham police chief. Stillman started his 34-year police career as a rookie in Walpole, a city outside Boston with a population of about 25,000. He has worked as chief for the past 13 years. Stillman was chosen from a pool of 19 candidates.

Skowhegan Police Chief **Ted Blais** resigned after two years for personal reasons. Deputy Chief **Donald Bolduc** has been named acting chief pending a search for a replacement. ■

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STATEWIDE

The Municipal Review Committee, which represents the trash-disposal needs of nearly 200 Maine cities and towns, signed a contract in July to send residual waste to a landfill in Norridge-wock. The municipal collaborative is developing a \$69 million facility in Hampden that will convert solid waste into biofuel while recycling other items. The 10-year deal signed in August with Waste Management calls for the company to take 30,000 to 40,000 tons of residual waste from the new municipal plant annually at a cost of \$47 a ton.

BANGOR

Any momentum to increase the minimum wage to \$12 an hour by 2020 died last month for lack of majority support of the city council. The issue divided councilors from the outset. Majority support was needed to get the question onto the ballot this year. Any further discussion of the idea must wait until the new year, officials said. Meanwhile, the Portland City Council in July voted to put a proposed minimum wage question on the ballot in November. If it passes, the lowest wage in the city would be \$15 an hour by January 2019.

CASCO

Selectmen have endorsed a proposal to give part-time employees three paid leave days a year. The employees must work for the town year-round, at least 20 hours a week and for at least three years. Full-time employees presently receive 10 paid leave days annually. The change is part of an updated personnel policy the town sent to its attorney in late July for final review.

FREEPORT

The town's Ordinance Committee wants more information before moving ahead with a proposal to ban single-use shopping bags in one of the state's biggest retail meccas. The panel needs to finish its recommendations by next month in order for the question to go to voters in November, but members said they were more concerned with making the right decision than a quick one.

FALMOUTH

Four large municipalities are joining forces to apply for a planning study of

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*.

MMA Conference Center. Actually, that was the old – and bland – name of the conference center, which opened in 2009 as a major expansion to Maine Municipal Association's Augusta location. On July 30, it became the "Christopher G. Lockwood Conference Center," named for our executive director, who will retire on Aug. 21 after 36 years of leading MMA.

GSA Programs: Money Savers. Federal officials are promoting several programs offered under the U.S. General Services Administration as ways that municipalities can save money by taking part in bulk purchasing.

Ethel Kelley Award. You still have time to nominate someone for the Ethel Kelley Memorial Award, which is MMA's most prestigious annual designation. The award, which recognizes long-term service to one's community and municipality, will be given at our Annual Convention, on Oct. 7.

the U.S. Route 1 corridor. Portland Area Comprehensive Transportation System has applied for \$120,000, with Yarmouth and Freeport promising matching funds of \$8,000 each, Falmouth \$5,000 and Cumberland \$3,000. The study would allow the four communities that share the busy corridor to consider various kinds of transportation options, as well as focusing on hometown projects.

JAY

Selectmen agreed in late July to assign a municipal police officer to serve on the Maine Drug Enforcement Agency. Under the deal, the town would be reimbursed for the officer's salary each month, as well as the state providing transportation and training the officer as a drug enforcement specialist. Officers must compete for the new position.

LEWISTON

A dozen Androscoggin County municipalities have sued the county commissioners, alleging the trio improperly set their salaries while cutting \$90,000 in salaries and benefits for county employees recommended by the county budget committee. Joining the suit are: Lewiston, Auburn, Poland, Lisbon, Turner, Durham, Greene, Sabattus, Minot, Leeds, Livermore Falls and Mechanic Falls. Municipalities pay 80 percent of the county budget and usually their only say is on the budget committee.

MILLINOCKET

The town has placed liens on 252

properties for back property taxes as residents, like the town itself, struggle to adapt to life without the Great Northern paper mill. Officials, however, said they understand some people cannot pay their taxes, but others who could have not. The 2015 liens represent \$300,000 in property tax revenue. Since 2012, the town has taken ownership of nearly 100 properties.

ROCKPORT

A recently completed revaluation of town property bucked the "rule of thumb" and dropped the value of 82 percent of all property types, for a loss of \$41 million in municipal value. Most of the loss comes from reduced ocean-front assessments, officials said. Typically under a revaluation, Rockport assessors said, the value of a third of the property is reduced, a third is increased and the final third remains about the same. The impact of the new values on the mil rate will not be known until this month, when the tax commitment is set. The revaluation was conducted by the Massachusetts-based KRT Appraisal, which was praised by local officials.

WATERVILLE

The council upheld the mayor's budget veto last month, agreeing to use \$58,000 in state funds to lower the amount to be raised by taxes, rather than bank it in the surplus account. The city budget is \$37.4 million for the new year. Meanwhile, the city's school board approved a \$21 million budget following the council vote. ■

MUNICIPAL BULLETIN BOARD

AUG. 19

I've Got the Job – What Now?

The Maine Municipal Tax Collectors' and Treasurers' Association will hold a one-day workshop designed to take clerks through a significant portion of their roles and responsibilities in public office. The workshop may include topics such as: nature of the job; settlement and discharge; delinquent property taxes; excise taxes; role of the treasurer; disbursements and warrants; investments; and, much more.

Presenter will be Gilberte Mayo, a lifetime MMTCTA member and leader. The workshop will begin with registration at 8:30 a.m. and will conclude at 3:30 p.m. Cost is \$50 for MMTCTA members and \$60 for non-members. The workshop will be held at the MMA Conference Center in Augusta.

SEPT. 1 and SEPT. 15

Voter Registration: Presque Isle, Augusta

The Maine Town & City Clerks' Association will hold day-long sessions on voter registration on Sept. 1 at the Presque Isle Inn & Convention Center and on Sept. 15 at the MMA Conference Center in Augusta. Patti Dubois, City Clerk in Waterville, and Maine Deputy Secretary of State Julie Flynn will conduct the workshops. They will include a review of duties for registrars of voters and outline their tasks before, during and after Election Day.

The workshops start with registration at 8:30 a.m. and end at 4 p.m. The cost is \$55 for MTCCA members and \$75 for non-members.

SEPT. 2 and SEPT. 16

Title 21-A: Presque Isle, Augusta

Kim McLaughlin, Town Clerk in Old Orchard Beach, Patti Dubois, City Clerk in Waterville, and Julie Flynn, Deputy Secretary of State, will present workshops on Title 21-A at the Presque Isle Inn & Convention Center on Sept. 2 and at the MMA Conference Center on Sept. 16. (McLaughlin will co-present on Sept. 16; Dubois on Sept. 2.) The workshops will cover all aspects of administering state and federal elections at the municipal level.

Sponsored by the Maine Town & City Clerks' Association, the workshops will begin with registration at 8:30 a.m. and end at 4 p.m. Cost is \$55 for MTCCA mem-

bers and \$75 for non-members. Member attendees are encouraged to wear their name badges.

SEPT. 2-4

MAAO Fall Conference, Sebasco Estates

The Maine Association of Assessing Officers will hold its Fall Conference Sept. 2-4 at the Sebasco Harbor Resort. Many topics will be covered, including: Using Computer Software to Plot Deeds; Assessing Parcels; Maine's 'Sudden and Severe' Statute; Dangerous Buildings; Legislative Updates; and, more.

Costs for the conference vary depending on how many days one will attend and lodging preferences. There will be a golf tournament on the first day, Wednesday, Sept. 2. Other events include a silent auction and candlepin bowling.

OCT. 20

Managing Freedom of Access Requests: Saco

This timely workshop is aimed at helping municipal staffs, designated "Public Access Officers," elected and appointed officials understand Maine's FOA law, why requests are filed and how to deal with them appropriately. The afternoon workshop will be held on Oct. 20 at Saco City Hall. Registration begins at 1:30 p.m. and the workshop will conclude at 4:30 p.m.

Presenters include: Amanda Meader, attorney with MMA's Legal Services Department; Nathan Poore, Manager in the Town of Falmouth; and, Eric Conrad, MMA's Director of Communication & Educational Services. Cost for the workshop is \$35 to MMA members.

OCT. 22

Grant Funding and Writing: Bangor

Robert Nadeau from the U.S. Department of Agriculture and Tammy Knight from the State of Maine's Community Development Office will lead an all-day workshop on Grant Funding and Writing on Oct. 22 at the Spectacular Event Center in Bangor.

The session will shed light on finding and leveraging grants, writing grant proposals, Community Development Block Grants and how the USDA is committed to serving rural communities. There will be time for individual consultation as well. Cost for the workshop is \$75 for MMA members and \$150 for non-members. The session starts with registration at 8 a.m. and is scheduled to conclude at 4 p.m.

OCT. 29

Planning Boards/BOA: South Portland

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 Oct. 29 at the Best Western Merry Manor in South Portland.

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 is \$55 for MMA members and \$110 for non-members. ■

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LEGAL NOTES

Job Interviews: What Can be Asked

Last month we listed some examples of questions that should *not* be asked during a job interview (see “Job Interviews: What *Not* to Ask,” *Maine Townsman*, “Legal Notes,” July 2015). This month we follow up with some questions that *can* be asked during a job interview without risking an illegal discrimination claim. For example:

- *Citizenship/legal status* (Are you a U.S. citizen or otherwise legally eligible to work?)
- *Criminal convictions* (Have you ever been convicted of a crime? If so, for what?)
- *Job qualifications* (What is your education? Skills? Are you able to do this job?)
- *Work history* (What were your previous jobs? Why did you leave? Ever been fired?)
- *Problem-solving* (How would you handle the following situation?)
- *Initiative* (Provide an example of a time you showed initiative.)
- *Strengths/weaknesses* (What is your greatest strength? Greatest weakness?)

In general, questions should focus on the requirements of the job and how the applicant can meet them. Questions should be as open-ended as possible so that the applicant can provide a full response. It’s a good idea, too, to invite the applicant to pose questions of his or her own.

We also reiterate the advice we gave last month: Prepare a list of legitimate questions in advance and ask the same questions of all applicants. Then complete an evaluation form after each interview so all applicants are judged fairly and uniformly.

Finally, as we noted last month there’s much more on all of this in our “Information Packet” on the hiring process, available free to members at www.memun.org. (By R.P.F.)

‘Proprietary Information’ Submitted to Tax Assessors

Three years ago we advised municipal assessors not to sign confidentiality agreements with taxpayers because virtually all information submitted in response to an assessor’s request is in fact a public record (see “Confidentiality &

MUNICIPAL CALENDAR

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

SEPTEMBER 7 — (first Monday in September) — Labor Day — a legal holiday (4 MRSA §1051).

ON OR BEFORE SEPTEMBER 15 — Monthly expenditure statement and claim for General Assistance reimbursement to be sent to Department of Human Services, General Assistance Unit, 11 State House Station, Augusta, ME 04333 [22 MRSA §4311].

BETWEEN MAY 1 and OCTOBER 1 — Municipal officers may initiate process to close certain roads to winter maintenance [23 MRSA §2953]. For further information see MMA’s Municipal Roads Manual.

BY OCTOBER 1 — Assessors should receive the municipality’s proposed current state valuation from the State Tax Assessor. [36 MRSA §208].

ON OR BEFORE OCTOBER 15 — Monthly expenditure or quarterly statement and claim for General Assistance reimbursement to be sent to Department of Human Services, General Assistance Unit, DHS #11, Augusta, ME 04333 [22 MRSA §4311].

OCTOBER — Registrars of voters shall accept registration prior to the November 3 election according to the time schedule for their population group [21-A MRSA §122(6)].

■ The Registrar shall publish his/her time and hourly schedules in a newspaper having general circulation in the municipality at least 7 days before it becomes effective. In municipalities of 2,500 or less population, this publication is discretionary rather than compulsory [21-A MRSA §125].

■ The hourly schedule for voter registration established by 21-A MRSA §122 may be changed by the municipal officers according to the needs of the municipality [21-A MRSA §122(8)].

ON OR BEFORE OCTOBER 31 — Every employer required to deduct and withhold tax for each calendar quarter shall file a withholding return and remit payment as prescribed by the State Tax Assessor (36 MRSA § 5253).

BY NOVEMBER 1 — Any governmental subdivision holding tangible or intangible property presumed abandoned under 33 MRSA §1953 must make report to the Administrator of Abandoned Property of the State Treasury Department, pursuant to 33 MRSA §1958.

Property Tax Info,” *Maine Townsman*, “Legal Notes,” May 2012). But this is no longer entirely true. The law was amended in 2014 (see PL 2013, c. 544, § 5).

Title 36 M.R.S.A. § 706 – the statute that authorizes assessors to ask taxpayers for more information – now allows taxpayers to protect proprietary information from public disclosure if it is clearly labeled as proprietary and confidential when submitted.

“Proprietary information” is defined in the law as “information that is a trade

secret or production, commercial or financial information the disclosure of which would impair the competitive position of the person submitting the information and would make available information not otherwise publicly available and information protected from disclosure by federal or state law or regulations.”

Anyone who knowingly violates this new confidentiality provision commits a Class E crime.

It’s worth noting that most property

LEGAL NOTES

tax records are still public records under Maine's Freedom of Access Act ("Right to Know" law). The only records that qualify as confidential, besides proprietary information, are Tree Growth forest management and harvest plans (see 36 M.R.S.A. § 579) and poverty abatement records (see 36 M.R.S.A. § 841(2)). All other records are subject to public inspection and copying upon request (see 1 M.R.S.A. § 408-A).

For more on Maine's Right to Know law, see our "Information Packet" on the subject, available free to members at www.memun.org. (By R.P.F.)

Conditions of Approval vs. Private Covenants

Question: With land use permits, what's the difference between conditions of approval and private covenants or restrictions?

Answer: There's a big difference. Conditions of approval are imposed by a board as part of the review and permitting process if it deems them necessary or advisable to satisfy applicable review criteria or other legal requirements or to protect the public health, safety or welfare.

Private covenants or restrictions are imposed by a developer, not a board, almost always by incorporating them in deeds to purchasers and often in order to enhance the marketability of a project by prohibiting incompatible development or activities.

Conditions of approval are enforceable by the municipality, and both the municipality and the developer, as well as other affected property owners, are legally bound by them unless and until removed by the board.

Private covenants or restrictions are enforceable only by the developer and affected property owners, not the municipality, and only they, not the municipality, are legally bound by them.

Thus, an ordinance may permit development or activities that are prohibited by private covenants or restrictions. If such a permit is applied for, the issuing authority may consider only applicable ordinance requirements. If a permit is issued for something that private covenants or restrictions prohibit, it is up to the developer or affected property owners to enforce them.

Back to conditions of approval, we note that conditional approvals must be in writing, with findings of fact and reasons (see 1 M.R.S.A. § 407(1)). Also, in order to be enforceable, conditions of approval must be specific and expressly stated in the decision or on the plan (see, e.g., *Hamilton v. Town of Cumberland*, 590 A.2d 532 (Me. 1991)).

For more on conditions of approval and private covenants or restrictions, see MMA's *Planning Board Manual*, available free to members at www.memun.org. (By R.P.F.)

Public Records Requests

Last month we reminded readers that every municipality must have a public access officer to manage public records requests (see "Public Access Officers," *Maine Townsman*, "Legal Notes," July 2015). As we noted then, this was one of several significant changes made in 2012 to the "open records" provisions of Maine's Freedom of Access Act (see 1 M.R.S.A. § 408-A). Here, also as a reminder, are most of the others:

Making requests. A public records request need not be made in person or in writing. A requester can be asked to put it in writing but cannot be required to or be denied because it's not. Incidentally, anyone can make a records request, and it need not cite the law or state specifically that it's a public records request provided it's clear that it is.

Acknowledgement; time and cost estimate. The custodian of a requested record must acknowledge receipt of the request within five working days. Also, within a reasonable time the custodian must provide a good faith, non-binding estimate of the response time and cost, if any. The deadline for actually responding, however, remains "within a reasonable time" – a flexible standard that takes into account the scope of the request, where the records are kept, and other, competing demands on the custodian's time, among other variables. The custodian can ask for clarification about which record or records are being requested.

Inspections; making and mailing copies. A person can either inspect and copy public records in the office of the custodian during regular business hours or request the custodian to make

and mail copies to the requester. The custodian can schedule inspections so they do not delay or inconvenience the custodian's regular activities.

Electronically stored records. Access to electronically stored records must be provided either as a printed document or in the electronic medium in which they are stored, at the option of the requester, except that access to a computer file is not required if the custodian is unable to separate or prevent disclosure of confidential information in that file. There is no requirement to provide access to a computer terminal. Nor must electronically stored records be provided in a different electronic medium or format.

Costs. The requester is liable for the cost of (1) copying, (2) mailing, (3) converting a record into comprehensible form, and (4) staff time up to \$15 per hour after the first hour for searching for, retrieving and compiling requested records. If the estimated cost exceeds \$30, the custodian must notify the requester before proceeding. If the estimated cost exceeds \$100 or the requester has previously failed to pay costs, the requester must pay in advance. The custodian may, but is not required to, waive part or all of these costs if the requester is indigent or release of the requested record is in the public interest.

No requirement to create a record. There is no requirement that an agency or official create a record that does not already exist.

For more on Maine's "Right to Know" law, see our "Information Packet" on the subject, available free to members at www.memun.org. (By R.P.F.) ■

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