

March 2014

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The Magazine of the Maine Municipal Association



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The Magazine of the Maine Municipal Association

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Maine Municipal Association's 2014 Technology Conference will be held May 1 in South Portland. Along with our partners, the Maine GIS User Group and ConnectMe Authority, MMA has put together an informative lineup of speakers and training opportunities.

Roundabouts (Not Rotaries) Come on Strong 7

Have you noticed more traffic "roundabouts" in a neighborhood near you? Lots of people in Gorham, Augusta and other communities have. Experts explain how the roundabouts work, and why they are safer than larger "traffic circles."

Collaborative Management in Mexico, Rumford 13

Veteran Manager John Madigan recently agreed to take the reins in the neighboring towns of Mexico and Rumford. We catch up with him in a Q&A format, asking how his experience has been thus far.

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When you visit Dover-Foxcroft, you quickly see this is a rural community committed to recreation, sports and fitness. This article sheds light on the thoughtful manner with which the town set its recreational priorities starting in 2012.

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Officials in Knox County recently participated in drills that contemplated what would happen if a "perfect storm" hit the area. The winter of 2013-14 is providing a real-life test.

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COVER PHOTO: This shot of snowmobilers enjoying the trails in Dover-Foxcroft was taken last month by Ben Thomas, MMA's Website and Social Media Editor.



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A Message From MMA



By Eric Conrad, Editor

Join the Crowd: 2014 Municipal Technology Conference —

Maine Municipal Association's second-largest training opportunity of the year – the annual Municipal Technology Conference – will be held on May 1 in South Portland. Already, we get the feeling that the size of the audience and number of exhibitors will set records for this growing event.

Along with our co-sponsors, the Maine GIS User Group and ConnectMe Authority, several municipal Affiliate Groups have reviewed our lineup of workshops (see P. 27 for details) and were so impressed that they will offer continuing education credits to members who attend.

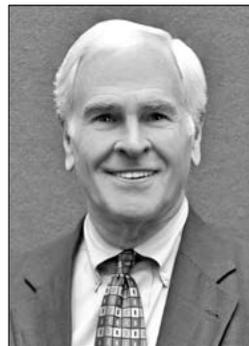
Like last year, MMA will bring in a keynote speaker to start the day. His name is Mike Frank and he is a renowned national presenter – a change-management type of guy – from Columbus, Ohio. We caught up with Mike recently and asked him to give us a sneak preview of his keynote address, his perspectives on technology and tell us a little about his love for Maine.

Q. You talk a lot about “Changing Times,” which is really appropriate for our audience at the Municipal Technology Conference, which will be held at the DoubleTree by Hilton Conference Center in South Portland. How are times “changing” and what’s different from the change that people experienced, say, 50 or 100 years ago?

A. Almost everything is changing, from food options in grocery stores and restaurants to technology to businesses that are “no more.” I use real-life examples from the private sector and public sector.

Q. Time management is another constant pressure and, to some of us at least, technology has made this more difficult, not less so. Do you agree? What’s your perspective?

A. Technology is clearly the biggest change for all of us, both good and bad. We spend hours using it to our benefit, yet it takes up more of our time



Mike Frank

than ever. The key is deciding how much of our day will be spent using technology. As a salesman all of my adult life, I go back to keeping client records on 3” x 5” catalog cards. My, what a change! I go back to when a computer was as big as a bedroom and cost over \$1 million. And now, all that data can be kept on a mini-thumb drive and, in many cases, on one’s smart phone. In managing time, we must determine what are our priorities and how do we determine them.

Q. You have a great background, Mike: international sales, resident of more than a dozen states, President of the National Speakers Association – even someone who collected more than 2 million sports memorabilia cards. What’s the one thing about you that will really make people want to hear you speak?

A. I am a storyteller, not a lecturer. I use real stories to make my points on dealing with change and being more effective with managing our time.

Q. You and your wife have deep feelings for Maine. Tell us about that.

A. We both love lobster! At a speech at the Samoset Resort in Rockport about 10 years ago, my wife learned how to dissect and eat a whole lobster and she has become a master at it. We love lobster rolls, whole lobsters, lobster tails and lobster bisque. Where are the best places to get these items? Maine and Australia. Further, we love the state of Maine for being as beautiful as it is, only having been there twice.

Q. Anything else, before we see you on May 1?

A. We are really looking forward to being there. I have had two “bites” with to speak at local Chambers of Commerce while we’re in Maine, but nothing has been finalized with those yet. 



Opening scene from the 2013 Technology Conference. (Photo by Jeff Pouland)

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Maine Recycling and Solid Waste Conference - details coming – save the dates April 28-29th 2014 Samoset Resort, Rockport, Maine

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Traffic Roundabouts Gaining Popularity

By Douglas Rooks

The first thing to remember is that a rotary is not a roundabout. The difference between the two terms is crucial, one representing an abandoned approach to moving high traffic volumes, the other an up-to-date and safe way of accomplishing the same purpose.

That difference may be at the root of a reluctance of some Mainers to embrace roundabouts – which are the new, safer version – because they think only of their experience in driving the old rotaries. That reluctance seems to be fading as the Maine Department of Transportation has become more assertive in recommending roundabouts as solutions to traffic congestion and safety problems, and as more municipalities encounter them.

To date, 20 roundabouts have been built over the past 16 years, one rotary has been converted to a roundabout and two more are on the construction schedule for 2015 and 2016.

After World War II, amid an extraordinary expansion of roads and motor vehicles, state transportation officials began building traffic circles all over the country. The old rotaries, as Mainers know them, had large radiuses and could be entered at something close to highway speed.

Disaster ensued. Drivers, trying to cope with quickly moving entering and exiting traffic, often crashed, with grisly results. By the 1960s, state DOTs were removing traffic circles, usually replacing them with traffic lights that moved fewer cars and trucks, but were at least safer.

Maine never built as many rotaries as other states, but some of its designs

were also removed. Today, the only remaining large-radius rotaries are Memorial Circle in Augusta, the junction of U.S. Routes 201 and 202 and state Route 27, the Windham rotary joining U.S. 302 and 202, and the Kittery Circle, with U.S. 1 and state Route 236.

Europe never stopped building traffic circles, however. The generally

small-radius circles, known as roundabouts, not only avoided the safety problems of rotaries, but were actually safer than four-way intersections, where “T-bone” collisions of vehicles at right angles can lead to numerous injuries and deaths.

By the 1990s, this new application of an old idea began coming back

MAINE ROUNDABOUTS

MUNICIPALITY	LOCATION	APPROACHES	COMPLETED
Gorham	Route 202 / 237	4	1997
South Portland	Ocean Ave. Cottage St.	5	1997
Kennebunk	Rt. 35 / Storer St.	3	2003
Bangor	Maine Ave. / Texas Ave.	4	2007
Auburn	Turner St. / Wal-Mart	4	2007
Auburn	Turner St. / Auburn Mall	4	2007
Caribou	Rt. 1 / North Main St.	4	2007
Calais	Rt. 1 / Rt. 9	3	2009
Gorham	Rt. 112 / Rt. 114	3	2009
Gorham	Rt. 112 / Rt. 202	4	2009
Gorham	Rt. 112 / Rt. 25	3	2009
Sanford	Rt. 109 / Rt. 4	4	2009
Augusta	Rt. 201 / 202 / 9 / 17	5	2009*
Gorham	New Portland / Libby Rd.	4	2011
Bath	Bath Rd. / Congress St.	3	2011
Howland	Rt. 6 / Rt. 116	3	2012
Bangor	Maine Ave. / Godfrey Blvd.	4	2012
Orono	Stillwater / Forest Ave.	4	2013
Blue Hill	Rt. 15 / Rt. 172	4	2013
Augusta	I-95 / Rt. 3 NB	3	2013
Augusta	I-95 / Rt. 2 SB	3	2013

*Conversion of old rotary

Source: Maine Department of Transportation. Traffic Analysis

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

to the U.S. The first contemporary roundabouts in Maine were built in 1997, one in South Portland's Knightville, at the base of the new Casco Bay Bridge, and the other in Gorham, at the junction of U.S. Route 202 and state Route 237. (See chart.)

GORHAM LEADS

Gorham Town Manager David Cole remembers that project, and the skepticism that greeted it at public hearings. Many people didn't see the need for it and, as he put it, preferred "to barrel right through" the intersection.

The roundabout concept of slowing down traffic, but not stopping it, has since caught on in a big way in Gorham. There are now five roundabouts in all: three of them on the Gorham bypass section built from 2007-09, and the other joining New Portland and Libby roads in 2011. That makes Gorham the state leader.

Cole said building the first roundabout led to some changes in the state's approach.

"They found that the radius was a little too small, and that the center section needed to be built up more," said Cole.

One of the conundrums of American roundabouts is the size of the vehicles – chiefly tractor-trailer trucks – that must negotiate them. The cen-

ters of the rotaries are usually built up a few inches higher, often with cobblestones or other paving blocks, so that truck trailers can ride over them, without smaller vehicles being tempted to take a short cut over the raised section.

The new designs work well. Caribou Police Chief Michael Gahagan said there have been "no problems at all" with the rotary built on U.S. Route 1, either from the many through-trucks or city plowing equipment.

Augusta, well-known for the circles at both ends of Memorial Bridge, now has three roundabouts and one rotary. The new ones, recently opened, revamped Exit 113 of Interstate 95, east and west of the interstate, and were built in conjunction with the opening of MaineGeneral's new regional hospital.

DOT Planner Darryl Belz said that the original concept for extended ramps converting Exit 113 from a two-way to a four-way interchange didn't work well, due to the length of ramps that would be needed for vehicles queuing at the traffic lights. The two rotaries solved that problem – at a cost of \$5 million apiece, in a project with a total cost of \$13 million.

The Cony Circle overhaul from 2008-09, prompted by a supermarket redevelopment of the old Cony High School site, is Maine's sole example of

a conversion from one kind of a circle to another. "Roundabout Ahead" signs recently went up on the five approaches to the circle, prompting skepticism from local drivers. But the state has the figures to show that the conversion from rotary to roundabout has, in fact, been successful.

DRAMATIC RESULTS

According to Ed Hanscom, who heads DOT's traffic analysis division, in the two years prior to reconfiguring Cony Circle, there were 194 accidents. In the two years after construction was completed, there were just 64 – a better than two-thirds reduction. Accidents involving personal injury saw an even greater reduction, from 44 to nine.

The results, while dramatic, are not a surprise, Hanscom said. The reconstruction, which also added lanes to the circle's entrances, reduced the radius of the circle by 15 feet, which makes drivers take a sharper angle into the roundabout, in turn reducing speeds. And when it comes to safety, that makes all the difference. Cony Circle is by far Augusta's busiest intersection, with up to 50,000 vehicles a day, according to Hanscom.

Even looking like a roundabout can help. Across the Kennebec River, Memorial Circle was unchanged except for new lane markers that rechanneled some traffic. Crashes there, never as high as at Cony Circle, have been reduced by about 20 percent, from 78 to 63, when comparing two-year periods.

Lionel Cayer, Augusta's city engineer, remembers doing the preliminary studies for the Cony Circle project. The city looked at a wide variety of other approaches, including "some that were pretty complicated," such as a series of overpasses and ramps. In the end, he said, the roundabout design was the obvious choice.

Cayer thought perhaps there might have been a third roundabout used with the I-95 connection project, at the hospital entrance, where there is instead a traffic signal. It turned out that a grade change made the third circle inadvisable. Still, he thinks more roundabouts could emerge in Augusta as the city and state study other problem intersections.

The two main reasons why roundabouts become a preferred intersec-



The new roundabout near MaineGeneral Medical Center in Augusta. (Photo by Ben Thomas)

tion design are safety and congestion relief.

Congestion was a major issue in Auburn, where the build-out around the Auburn Mall created traffic levels that couldn't be handled by existing roads.

Auburn Economic Development Director Roland Miller said that the two roundabouts built near Wal-Mart were less expensive and caused less disruption than any alternatives.

"If we didn't have the roundabouts, we would have had to change to entrances to several existing stores, including Wal-Mart," he said. "That would have been more costly, and it also isn't something the retailers would have liked to see."

Part of what makes those roundabouts work well is careful design of the entrances. Miller explains that making sure a high volume of traffic can exit immediately to the right after entering, rather than proceeding further around the circle, ensures that more vehicles can safely make it through the intersection.

BLUE HILL'S 'GIFT'

In Blue Hill, safety, rather than congestion, was the big issue. "Except in the summer, there's really not a lot of traffic there," said Selectman Jim Schatz, of the intersection of state routes 15 and 172. But the junction was dangerous; there had been a significant number of accidents, including several fatalities.

"The state told us about a number of alternatives" to the blinking light that was already there, Schatz said.

A traffic light seemed to offer few advantages. "The traffic varies so much, from season to season, that there wasn't any way to program the lights without causing a lot of long waits," he said.

The roundabout, completed in September, can handle any projected level of traffic – from none at all to a volume significant enough so it would cause backups at a traffic light, Schatz said.

In Orono, another just-completed rotary is directing traffic at Stillwater Avenue (Route 2) and Forest Avenue. It, too, was a high-crash intersection rather than a high-volume one. The roads joined at an awkward angle, said Public Works Director Rob Yerxa, with difficult sight lines.

The rotary "works great," he said,

and provides no obstacles to either trucks or the town's snowplows. "We've plowed four or five times already, and you just go through the circle, and then scale back the banks."

Caribou officials are happy about their roundabout, completed in 2007, located on Route 1 at the junction with North Main Street. The hospital entrance, which Police Chief Michael Gahagan said is just opposite, was the site of some horrendous crashes.

"As you'd expect, a lot of older people would be driving to the hospital for appointments. They'd sometimes misjudge the speed of traffic, and dart

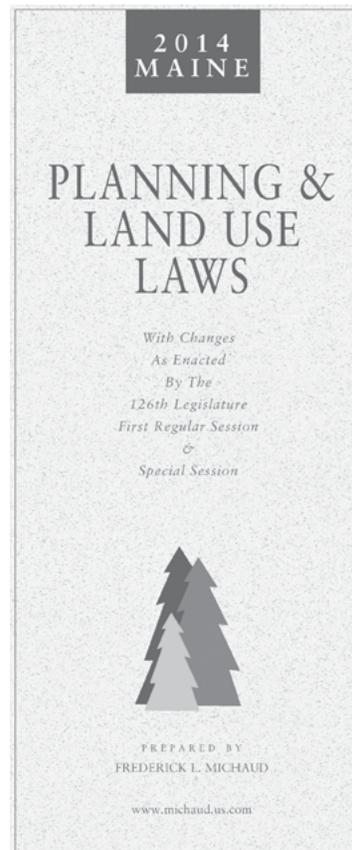
out," he said. Since the roundabout was installed, there have been only three accidents. "It's like the difference between night and day," he said.

As popular as they have become, there are reasons why roundabouts are not always chosen for problem intersections. One is the cost.

Ed Hanscom said roundabouts usually cost at least \$1 million, which is considerably higher than a signalized intersection that's the usual alternative. But the safety improvements it creates often justify the cost, he said.

Lionel Cayer noted that maintenance costs are significantly less than

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traffic lights, of which Augusta has plenty. "You aren't faced with equipment upgrades and outages and replacements," he said. "They practically maintain themselves."

Some of the more rural roundabout locations have been built by qualifying for federal safety grants, including those in Blue Hill and Orono. Jim Schatz said Blue Hill considers the roundabout "a gift, because we never would have been able to afford it otherwise."

STRONG ADVOCATE

In Orono, Rob Yerxa counts himself "a strong advocate" of roundabouts after the experience of building the first one, which DOT suggested after a study.

Buttressed by support from the University of Maine, Yerxa says Orono is on the verge of scheduling construction on another roundabout that was its own idea, located at the campus entrance at Rangeley Road (Route 2) and Park Street.

Students carried out a class project that studied the effects of the current, unsignaled intersection, traffic lights and a roundabout – with the round-

about a clear winter.

Orono convinced the state to pledge \$1 million in state and federal dollars, and also obtained a \$400,000 grant from the Bangor Area Comprehensive Transportation System (BACTS), which allocates regional funding. The town will provide the remaining \$100,000 for the \$1.5 million project – "funding from all four levels," as Yerxa points out. Construction is likely in 2016.

There are at least a couple of new roundabouts in the state funding pipeline. One, scheduled for 2015, is a retrofit of the intersection of a Maine Turnpike entrance with the new ser-

vice plaza built off the highway in West Gardiner.

Darryl Belz said the project will cost just over \$1 million, and will include separate right turn lanes similar to those used at Cony Circle. In 2016, the state expects to build a roundabout in Eliot at the five-way intersection of Route 236 and Depot Road.

With their emerging safety record and efficiency in moving traffic, roundabouts seem certain to multiply in the years ahead. David Cole wouldn't mind seeing Gorham maintain the statewide lead. "I can think of a few other locations where we'd like to see them," he said. [ml](#)



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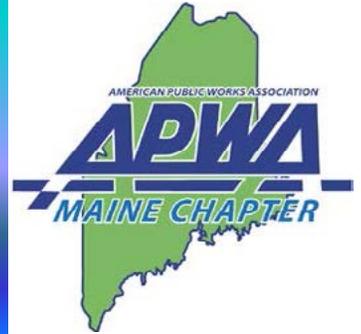
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- 2014 -

Elected Officials Training Opportunities

Elected Officials Workshops

Who Should Attend:

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- 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 this course will be offered in two formats: In classroom and remotely at the Sunrise County Economic Council in Machias. 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 facilitator will be onsite to assist. Should you wish to attend this session at SCEC, simply fill out the registration form and select the Machias live broadcast.

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Orono – 5/6/2014

Black Bear Inn - 4 Godfrey Dr., Orono, ME 04473

Presque Isle – 5/29/2014

Northeastland Hotel - 436 Main St.
Presque Isle, ME 04769

West Kennebunk – 6/12/2014

West Kennebunk Fire Station - 80 Thompson Rd.
West Kennebunk, ME 04094

Northport – 6/18/2014

Point Lookout - 67 Atlantic Hwy
Northport, ME 04849

Augusta – 8/28/2014

MMA - 60 Community Dr., Augusta, ME 04330

Machias – 8/28/2014

(Live Video Conference)

Sunrise County Economic Council
53 Prescott Dr., Machias, ME 04654

Roles of Elected Officials & Municipal Managers

Date & Location:

Augusta – 12/2/2014

MMA - 60 Community Dr., Augusta, ME 04330

Managing Freedom of Access Requests

Dates & Locations:

Pittsfield – 7/23/2014

Town Office - 112 Somerset Ave., Pittsfield, ME 04967



Maine Municipal Association

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Madigan: Advantages Managing Two Towns

By Liz Chapman Mockler

John Madigan recently assumed the manager's job for the Town of Rumford, a "twin" Town to Mexico, which he has managed for the past nine years. Although many municipalities are merging departments, such as fire and police, only one other manager in Maine works for more than one community.

The small towns of Mapleton, Castle Hill and Chapman, northwest of Presque Isle in Aroostook County, have long shared town administration through an inter-local agreement. Under the pact, the towns share the manager's services. The three towns boast a population of about 2,800, while Mexico's population is roughly the same as Rumford's total: 6,300.

In addition to the Androscoggin River, the two communities are separated by a paper mill, on which both towns' financial fate depends. Madigan divides his time between towns and answers to each town's board of selectmen.

Q: *Why did you offer to manage both towns and how are you handling priorities and emergencies as they emerge?*

A: Both towns had recently entered into a contract with Municipal Resources Inc. to study the possibility of consolidating additional services. This was motivated by the way citizens voted against the municipal budgets in both towns in (2013). It took Rumford five town meetings to finally adopt a budget; \$1 million less than the first proposal. It took two town meetings in Mexico, along with a tax cap ordinance that passed with significant reductions demanded. We interpreted that action as citizens (indicating they

can no longer afford their property taxes and that it was time for the two towns to try something new.

When the Rumford manager resigned and the select board decided to advertise for an interim manager, I told them I would be willing to manage both towns while the study was under way. All they needed to do was to work out the details with the Mexico selectmen. The agreement they came up with splits my time in half, splits my salary and benefit costs and allows for flexibility if needed to handle priorities or emergencies in either town.

Q: *What has been most surprising to you thus far?*

A: The biggest surprise has been the overwhelming positive response from citizens and employees of both towns. I was previously the town manager in Rumford for seven years beginning in 1985, and I have lived in Rumford since then. I have also been the manager in Mexico for nine years. Everyone agrees that my experience in both communities gives me an edge since I know each community and I am familiar with how each community operates. I also know many of the employees in Rumford. In fact, I hired several of them back in the 1980s. My unique experience with both communities really does make this possible.

Q: *What have you found so far to be the most challenging and most unexpected*

aspect of managing both communities?

A: This week, I had my first conflict with two important meetings scheduled at the same time, one in each town. I did manage to attend both by leaving one early and arriving at the other late. Prior to that, I didn't expect the number of citizen complaints I have received. The reduced budgets led to a reduction in manpower and supplies needed to properly handle the severe winter we are experiencing this year. I was forced to shut off access to both Public Works' sand piles to citizens who have always been able to take a few buckets home when needed. The severe icy conditions this year have left us with seriously low quantities of sand with a lot of winter remaining.

Another challenge will certainly begin in a few weeks with the upcoming budget development process for next year's municipal budgets. There will be double the department meetings, selectmen meetings and finance committee/budget committee meetings over the next two to three months. I'm sure to be out several nights each week to additional meetings.

Q: *How are you able to practice your management style while working with two separate groups of employees?*

A: I've always maintained an open-door policy for citizens or employees to come in to talk with me at any time. I like to keep things as informal as

COLLABORATION CORNER

This article continues a regular feature in the *Maine Townsman*, highlighting ways that municipalities work together to become more efficient and better serve citizens.

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possible. I also expect all department heads to be responsible for their individual departments, so long as they keep me informed. I tell all my employees that everyone should enjoy coming to work and that I want to see smiles on everyone's faces. I don't expect my management style will change. It has always worked very well for me.

Q: Are there ways in which the two towns already collaborate that can be maintained regardless of the consultant's study and findings?

A: Yes. Most of the things we do together now are done by inter-local agreements that work very well. None of that will change. Both towns are members of several districts: solid waste, six towns; ambulance service, 11 towns; sewer treatment, three towns; education, 12 towns.

Last year, we jointly purchased a ladder truck for both fire departments. The agreement was voted on by both towns and includes a funding formula and a long-range plan to replace the truck in the future. The consultant's study will look specifically at consolidation of departments: police, fire, public works, library, recreation and administration, and whether any of the departments could become one department serving both towns.

Q: What do you expect might be the hardest goal to reach while managing both towns?

A: I think everyone, so far, wants something to be done toward consolidation of the two towns. How any change will occur will not please everyone. Each group has its own ideas about how to accomplish any joint venture between the towns. That alone may make it impossible to consolidate.

One important consideration in hiring consultants was the fact that they will present an unbiased report of the facts. If people are willing to look at the facts and leave emotion out of the debate, the goals of coming together will have a much better chance of being realized.

Q: Do you think other similarly sized communities should also investigate sharing services and resources or even consider merging into one municipality?

A: All municipalities in the state have worked with their neighbors for many years wherever possible. It doesn't matter that they be similar in size. Large and small communities

already work together. The trend will continue as we are always trying to provide our citizens the best services we can in the most cost-effective way. It is more important today to find new ways of sharing, since we all are receiving less financial support from the state and federal governments.

Q: What are the obvious drawbacks to trying to merge services or communities into one operation?

A: People who will be expecting more than what may be possible to accomplish, or less than what may be necessary to fund a proper level of service for the communities.

Q: Has the public been supportive to date?

A: Yes. Some people would like to merge the towns into one. Others want to go more slowly, with that goal to be looked at down the road. Everyone is somewhat supportive of some consolidation along with some cost reduction of services.

Q: Any final thoughts to share with other municipal leaders who are considering taking similar action?

A: Rumford and Mexico have been talking about this for years. We can no longer afford to just continue talking. We have finally taken some action by hiring an independent consultant to give as an unbiased opinion on what can and can't be done. We will then



ABOUT JOHN MADIGAN

John Madigan has served as Manager in Mexico for nine years and, recently, assumed the same post in Rumford. He also has served as manager in Monson, Dixfield and Eastport. John is a past president of Maine Municipal Association and is a current member of MMA's Legislative Policy Committee. He is a past member of MMA's Workers' Compensation and Risk Pool boards.

be able to rationally look at the results and make rational discussions for a better future. [\[m\]](#)



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Behind the Audit: One Expert's View

By Lee Burnett

Financial audits may not be the most glorious aspect of municipal governance, but they are the foundation and sources of legitimacy. Without an audit, there can be no confidence in the town's or city's numbers, and making decisions can prove difficult – to say the least.

Local governments are required by state law to conduct annual audits. An outside firm is hired to review the financial statements and provide a professional opinion on the accuracy of the reporting and adequacy of the safeguards to prevent fraud.

To get an inside view of auditing, the Maine Townsman queried Craig Costello. Costello is a Certified Public Accountant at Brantner, Thibodeau & Associates in Bangor. He specializes in municipal and non-profit accounting, individual and business taxation and QuickBooks accounting. He joined the firm in 1994, after receiving his Bachelor's degree from the University of Maine.

Q. *How do you read an audit?*

A. I do not expect a newly elected official to obtain knowledge of the whole audit report. I usually point them to read the management discussion and analysis section in the front of the report. After that, I guide them on where to find the fund balance carryover information and the schedules that show the changes in those figures for the year, including the budget versus actual schedule or exhibit.

Q. *What are most important numbers/categories and why?*

A. Budget versus actual, and fund balance carryover. Did you end the year

on a positive swing? Are fund balances diminishing? Are we overspending certain categories from year to year? Are there findings in the audit that are not being corrected? These are questions that each board member should be thinking of.

Q. *What are most easily misunderstood numbers/categories?*

A. Cash versus fund balance carryover still continues to be the most misunderstood difference. There is a common reliance on the cash balance as being the amount of a municipalities fund balance. However, there are more components that make up the amount of fund balance including receivables and payables.

Q. *What should an audit contain in addition to what is legally required?*

A. Any additional supporting schedules to provide users of the report with more detailed information that may not otherwise be covered in preceding statements and footnotes, i.e. taxes receivable breakdown, schedule of individual restricted and committed balances activity, schedule of individual trust funds activity.

Q. *Are you ever asked to provide services beyond an audit? What is realistic and unrealistic to expect from an auditor?*

A. The most important misconception is that we are their accountants and that the audit is a step to clean up the records. An audit is not designed to provide the accounting services that are sometimes expected of us. While we can play a limited role in assisting, we are required to evaluate and assess the client's skills, knowledge and experience. As part of this assessment we need to determine the level of knowledge of those with responsibility over the financial statements.



Craig Costello

From time to time we are asked assist with adjustments to GAAP or full accrual based accounting but we still hold to the audit restrictions. Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States. This includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. The standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements.

The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor

Lee Burnett is a freelance writer from Sanford and regular contributor to the Maine Townsman, leeburnett_maine@hotmail.com.

considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Q. *I understand that minimum qualifications for municipal treasurers and finance directors vary widely. What do you recommend for a small town office?*

A. At the very least, a bookkeeping background or years of experience in the same role.

Q. *For a larger city?*

A. Bachelor's degree in accounting or finance and/or CPA.

Q. *How do you approach a newly elected town treasurer who has no background in bookkeeping?*

A. The discussions should first involve an assessment of skills in the area accounting and bookkeeping and, secondly, assessment of skills in municipal or governmental accounting. The result of this will determine what level of training is considered necessary or recommended.

Q. *What unexpected, odd or weird things you have discovered through an audit?*

A. Fraud. Person as bookkeeping, treasurer role with many years in that role, but lacked much knowledge of the financial statements.

Q. *What's the strongest reaction to an audit you've encountered?*

A. Typically, rejection of additional service charges in the messiest audits.

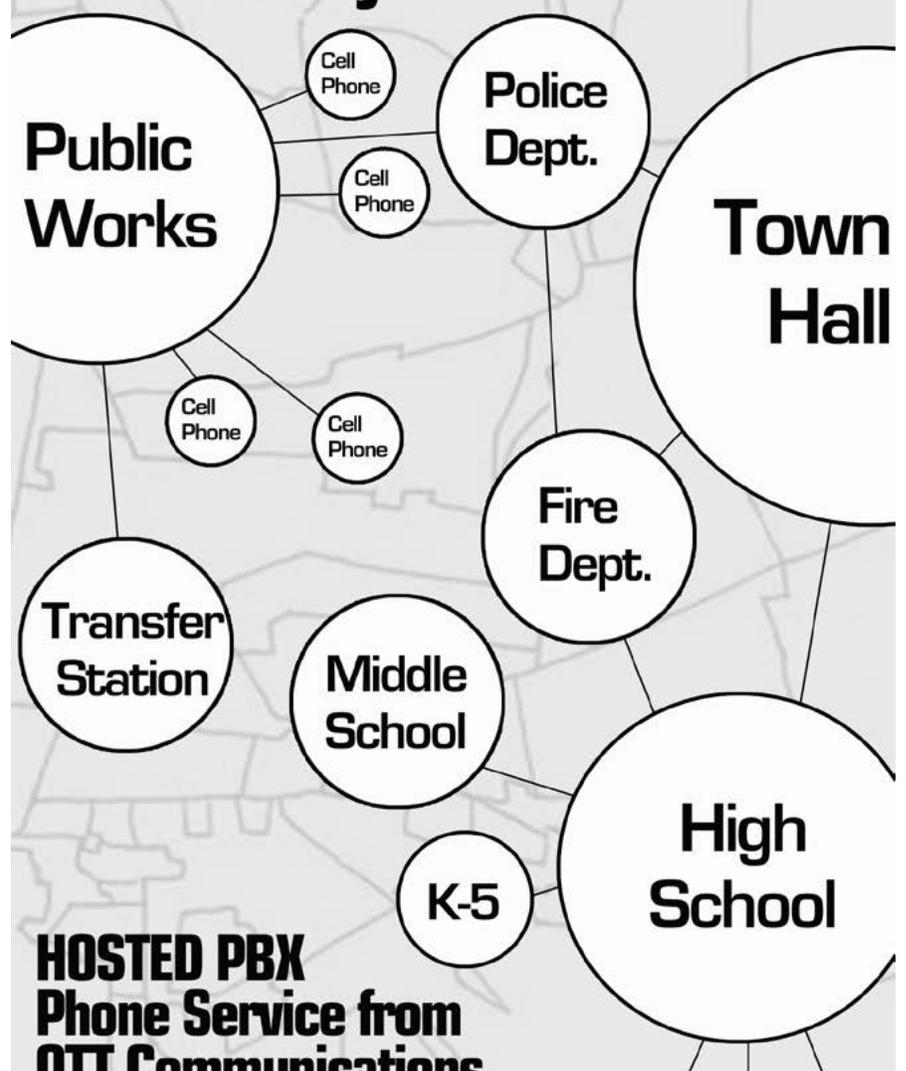
Q. *Do you have any auditing heroes?*

A. Yes, those who plan for the audit using a checklist, perform monthly reconciliations of all balance sheet accounts and provide information, without having to ask, at audit to support the financial statements.

Q. *Are there misconceptions about auditors? What would surprise people to know about you?*

A. That we are unfriendly, out to get the client with findings. 

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Recreation Solutions: Rural Town's Success

By Jane Conroy, Extension Educator
University of Maine Cooperative Extension

Town officials may wonder how a rural town of 4,000 residents can meet its recreational needs with local partnerships, volunteers and open spaces for under \$100,000. We have a no recreation department. We have strong collaborations with our volunteers, local YMCA, high school – and it works.

The Town of Dover-Foxcroft's visual character results from the scenic landscape, including: historic buildings, particularly in the village; surrounding mountains; and, rolling agricultural lands. Like many communities, within its boundaries lie hidden recreational treasures.

In 2012, the University of Maine Cooperative Extension and Dover-Foxcroft began a discussion about a recreation program by conducting a town-wide survey. The survey revealed that residents wanted to have recreational programs for all ages and were willing to explore ways to create useful repurposing of the rural landscape.

Direct mail surveys were sent to 1,325 taxpayers and households. Because Dover-Foxcroft is a service hub, the survey also was available to non-residents. There were 160 surveys returned (a return rate of 12 percent). Forty-four percent of the respondents were seniors and 28 percent were adults with children under 18 years of age.

Five sets of key words used to describe a successful program were:

- Affordable
- Opportunity (for all)
- Learning skills
- Organized
- Fewer taxes

A way to stay healthy was reported by 38 percent as the most important motivational factor for the respondents and their families, regarding a recreation program.

Walking was the top form of current exercise, enjoyed by 74 percent of the respondents. Forty percent said swimming and 39 percent said canoeing/kayaking. Seventy-nine percent do their recreational and physical activities on their own and at home.

A public hearing on recreational needs was held. To encourage participation, an ad was placed in the local newspaper, posted on the town's website as well as the cable TV channel. At the meeting, opinions were shared and questions were raised about what was being offered for recreation, how the town's current recreational facilities were being used; what is currently being offered and what changes were

planned at the town or community level.

OUTCOMES

A Recreation Committee was created under the leadership of the Board of Selectmen in 2012. It was charged to review the current recreation program and develop a plan to address the needs of all town residents – both short- and long-term needs. This six-member committee continues to meet regularly to access programs and youth sports offerings partnership with our local Foxcroft Academy, coordinate program offerings with the YMCA and assess town-owned recreational facilities.

The mission of the recreation committee is to strive to enhance the quality of life for people of all ages by supporting a variety of recreational activities, including both competitive and non-competitive programs that encourage wellness, cultural opportunities, natural resource appreciation and fellowship with neighbors.

The recreation committee's work

CURRENT ACTIVITIES BY DOVER-FOXCROFT RESIDENTS

- Walking – 74 percent
- Swimming – 40 percent
- Canoeing/kayaking – 39 percent
- Aerobics/fitness – 34 percent
- Dancing – 32 percent
- Ice and snow sports – 30 percent

Jane Conroy is Extension Coordinator for Cooperative Extension at the University of Maine. She is the key contact for information about Dover-Foxcroft's recreation survey, jconroy@maine.edu. Town Manger Jack Clukey is the key contact for information about the town Recreation Committee, jclukey@dover-foxcroft.org.

is a year-round endeavor, including both indoor and outdoor activities that are meant to complement services already available in our area. The utmost importance is placed on the values of good sportsmanship, discipline, respect of self, respect of others and teamwork at all levels.

Our goals include encouraging community health by providing quality recreation facilities and programs for all age groups, and building on the natural beauty of our town through the development, care and maintenance of public parks and facilities.

Although not directly responsible for facility improvements and maintenance, the committee works closely with the Public Works department and community volunteers to make improvements to athletic fields and facilities. It is a high priority so all athletes, young and old, recreational and competitive, can enjoy the best, safest facilities.

Town-owned land and facilities are well utilized. We enjoy the sounds of cracking bats for youth and adult baseball, the squeals of young skaters on the ice rink and the splash of cool water at the public beach at Sebec Lake.

In September 2013, the Bike Maine event sponsored by the Bicycle Coalition of Maine was hosted by Dover-Foxcroft. Our community hosted over 250 bicyclists for an overnight stop on

their way between Orono and Belfast. The group stayed at Kiwanis Park, one of the town's most popular parks with a playground, ball field and fishing pond.



Winter scene in Guilford. (Photo by Ben Thomas)



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REPURPOSING LAND

Agriculture and water-driven industries were key contributors of Dover-Foxcroft's economy until the mid-19th Century. Brown's Mill history as a hazardous waste sites are currently not a problem.

Through the efforts of the Maine Department of Environmental Protection and U.S. Environmental Protection Agency and funding from the Brownfields program, the town was able to assess the former mill site for the scope of the contamination. Through the assistance of our local economic development council, we secured cleanup funding to remediate the site.

Now, the former tannery site has become a municipal park with walking and snowshoeing trails, open space and scenic views of the Piscataquis River.

Through the work of Piscataquis Public Health Council, there are walking trails throughout the town. Our regional YMCA is an asset used by the town residents. The pool at the YMCA is used year round by residents of all age groups. Throughout the summer

the YMCA, in coordination with other organizations sponsor walks, runs, even a triathlon for those who are extra adventurous.

Dover-Foxcroft is a town of volunteers! Citizen involvement is imperative for a successful recreation program to reach its goals. Being open-minded, sharing skills and working in coordination with community groups

are key roles to play. From the survey's onset, there were several people who expressed interest in volunteering.

A number of ideas discussed at the recreation meetings have become projects, spearheaded by citizens. One example includes the construction of new dugouts at youth ball fields, done by volunteers with materials donated.



Dave and Ardie Hacker enjoy some winter exercise in Dover-Foxcroft. (Photo by Ben Thomas)



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WORK ONGOING

Improving the communication of recreational opportunities continues via the town's website and local newspaper. We always welcome program ideas and look for volunteer instructors and coaches.

In the survey's comments, many residents responded favorably about places in town with walking trails with improved signage. Residents seem united in expressing their desire for more recreation opportunities, both indoors and out.

There are many recreation facilities owned and operated by the town. The survey revealed some residents were not aware of the town-owned facilities: 78 percent were unaware of the skating rink at our fairgrounds; 53 percent were not familiar with the public beach at Greeley's Landing at Sebec Lake.

Other recreation options around town include snowmobile and ATV trails, tennis and basketball courts and school/town gym.

To summarize, small, rural communities have special assets when it comes to recreation. We can program leisure activities for all ages

and interests.

As more residents become familiar with programs and facilities and use them more, you can expect that ideas will be generated. Be sure to provide opportunities for new program ideas

to be shared with the committee. Have a process for deciding on staffing, funding and additional resources. Be sure to communicate with your committee if you have a talent or idea to share! [me](#)

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Knox County Practices For ‘The Perfect Storm’

By Charlotte Henderson

The heavy dose of “weather events” during the 2013-2014 winter revealed the importance of local emergency services that assist in keeping citizens safe. As a resident of Washington in Knox County, I learned how the safety net working in our community helps minimize problems and protect all of us.

During the past winter, our residents have been through rain, and cold, and ice, and snow, and fog, and mud, and floods ... pretty much Mother Nature’s entire menu of winter hazards. Some of these conditions brought power outages lasting many days, which left homes without heat, running water and, in some cases, telephone service. These realities make it reassuring to know that our community has an effective team in place to assist residents through some of the worst weather events.

The Washington Emergency Response Team’s (ERT) recent practice session took place at the Washington Fire Station, long since designated and equipped to be the local Emergency Operations Center (EOC). Participants in this “exercise-play” included members from the town fire department, roads commission, snowmobile club, select board, amateur radio (HAM) operators and volunteers. Included electronically in the session were emergency personnel from several other towns and the Knox County Emergency Management Agency (KX-EMA) headquarters. Power generators were fueled, batteries charged, vehicles and snowmobiles gassed-up and tools like chain saws were made ready.

Charlotte Henderson is a Washington resident involved in community activities. She is the Washington correspondent for the Courier Gazette newspaper.

Connected by an array of computers, radios and wireless devices, the team was prepared to respond.

The proposed scenario: a perfect storm, a severe blizzard making roads treacherous or impassable, taking down power lines, isolating residents and disrupting usual methods of contact.

With that, “Vigilant Guard-14” was under way. The four-hour exercise began with stations checking in from around the county to make sure communications were, indeed, working. Good! Tom Johnston, our local Emergency Management Director, described the various components of the network.

A computer monitor was projected onto the wall so entries might be viewed by all of us. There were regular bulletins coming in from Central Maine Power Company (CMP) regarding outages and downed lines. The Maine Department of Transportation

(MDOT), along with local road crews, reported conditions, road closings and disabled vehicles. The HAM radio operators monitored special emergency short wave frequencies. Personnel from participating towns detailed local conditions.

SCENARIOS UNFOLD

Messages began to flow. A rural road is blocked by a fallen tree. An ill person is almost out of medicine. A domestic incident is happening at a residence. Route 17 is blocked by several cars stuck in the snow. Such went the reports.

Depending on location and situation, each problem was evaluated and solutions were put forth. A resident on the rural road is pulling the tree aside with his tractor. Snowmobile club riders will relay a refill as soon as the nearest pharmacy can fill it; meanwhile the person should call her physician. A trooper was able to get through to



Discussing a storm-preparedness drill in Knox County. (Submitted photo)

the residence with the domestic-abuse report and take the caller to a nearby relative. A snowplow with chained tires was able to create a lane around the cars. Every single emergency was not met with an immediate solution, but for the individuals involved, simply knowing they were on the radar screens of the responders brought a sense of relief.

One of the most important components of any crisis plan is the mutual aid agreements that exist between towns. These collaborations provide supplementary assistance when the sit-

uation requires more than local teams can marshal. Mutual aid frequently assists in firefighting and, in emergencies, can expand to include equipment and manpower. In an area wide effort, mutual aid takes on exceptional importance.

Much of the preparation for coping with emergencies takes place behind the scenes and well before such crises arise. Preparedness updates are made regularly in town offices, select board meetings, and emergency planners' meetings, where inquiries and contacts are made and coordina-

tion plans are laid out. For example, a nearby bed and breakfast might be lined up to offer emergency housing or the library kept open for a warming station.

As the activity came to a close, a conversation opened for "Monday morning quarterbacking." This "hot-wash," an after-action review, is perhaps, the most instructive portion of the activity. Observations are made from all those involved. They inform and improve the next activity and shape corrective measures at all levels.

Our group of responders felt these rehearsals not only ingrained the routines and affected improvements, but also built confidence and developed bonds between the diverse participants.

Ray Sisk, KXEMA Director, deemed the exercise a success, noting that everyone gained something while "working a serious weather emergency in very positive ways for the good of our residents." [mi](#)

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Ten Things I Wish I Was Told Early in My Career

By James A. Bennett, City Manager
Presque Isle, Maine

10. Your colleagues are your best resource: Join the International City/County Management Association and your state managers' association. Get to know your neighboring managers. No one is totally prepared for day one on the job. If you've been around for a while, reach out to new managers in your area. Older managers are flattered when they can help. Ask them and make them feel good.

9. You were not hired to have all of the answers: Municipal managers can get into the habit of believing their job is to find the right solution. Today, there is more of a premium on the ability to facilitate a process than there is to providing the right answer. Don't be afraid to say, "I do not know." Build a good team and expect their active participation in the overall care and health of the community. Learn all you can about emotional intelligence and yourself.

8. The "right answer" is the one that the elected officials arrive at: Too many managers and staffs believe their solutions are the right ones. Some of us have even gotten to the point where we think our job is to protect the citizens from elected officials. Providing recommendations is often desired by the elected leadership but those should come with various alternatives and analysis. When the final decision is made by the elected officials, implement it with passion, especially if it was different than your recommendation.

7. Be helpful to the elected leadership: When managers and staff are seen as helpful to the elected officials, you have done your job. The elected officials' priorities need to be appreciated as your highest priorities.

6. Deal with the right issues in a

timely fashion: Ironically, government is never funded at the level where you will be successful at everything. In fact, much like a first responder, we must triage every day and make the conscious decision on those things we will fail at. Pick the right ones. Encourage the organization to make the right mistakes and learn from them. Personnel issues should never be ones that we fail at. Handle those decisively and directly. Do not sugar coat the issue. Be hard on the issue at hand but always respect that you are dealing with a person. Finally, we are in the expectation business. Learn to under promise and over deliver. It will allow you to exceed expectations.

5. Ask good questions: Asking the right question is one of the most powerful ways to find solutions. Learn to listen well and ask reflective questions. An example of four great questions to ask team members are:

What is your role here?

Why does your work matter?

How does the quality of your work contribute to the success of the department?

Exactly how are you connected to this company's mission?¹

4. Develop a Management Credo: A management credo is a written statement of your personal management philosophy, system of beliefs and opinions that guides your leadership and decision making. Once developed, it can be shared with others, from staff to the elected officials. It will likely change slightly over the years. (This suggestion was provided by Rick Michaud, City Administrator for the City of Saco, who developed a personal credo of his own.)

3. Be serious about the work but never take yourself too seriously:

The work we do is serious work. That should not prevent the people you work with or yourselves from having some fun. More importantly, while our work is important, you are not that important.

2. Strive to be a "Category 1" person: Learning to deal with the criticism that comes with this profession is one of the toughest lessons. I developed a strategy of putting all critical comments into three categories.



ABOUT JAMES BENNETT

James A. Bennett is the City Manager in Presque Isle and current President of the International City/County Management Association. He previously served as manager in Dixfield, Lewiston, New Gloucester, Old Orchard Beach and as City Administrator in Westbrook. He is a former President of the Maine Town, City & County Management Association and a current member of Maine Municipal Association's Legislative Policy Committee. He served as a Selectman in his hometown, Lisbon, from 1982-86

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Category 1 are people who care about me. They risk their relationship with you by providing insight into how you can be better. They are not really being critical of you but offering "gems" on how you can be a better person and leader.

Category 2 are people who do not care about me but have a significant role in my life. These are usually considered bosses. Their criticism is often more about them than it is you.

You have to pay attention and try to modify your behavior. Much like a speed bump, one needs to slow down and pay attention to prevent damage. Once you're over it, continue on.

Category 3 are people who are not important and do not care. Evaluate the criticism. Learn what you might but let it go as soon as possible.

Work at your relationships with employees and others so you can become a Category 1. As Dave Childs,

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former ICMA President, often says, "People need to know you care before they care what you know!"

1. We are privileged to protect the hometown pride: When you ask people what they are most proud of, once they get past their family, friends and alma mater, often the next thing you will hear is their hometown. Whether it be the neighborhood we grew up in, our state or our hometown, it is nearly universally accepted as a place people want to be proud of. You are trusted with protecting that pride and working to enhance it. Be involved in the community beyond your job. Find other ways to demonstrate your commitment to public service. Work with energy and enthusiasm.

Some may describe this as keeping the public trust. Of course, this is part of the core beliefs of our profession. What I am suggesting is greater than the ethical and foundational belief that we have been asked to keep and protect the assets of a community. It is about the opportunity to allow every resident to say: "I am proud to be from my hometown."

We get to make a difference in ways that other professions and careers could never emulate. Remind others, especially the people you work with and community members, what a privilege is to do so!

(The author wishes to acknowledge Rick Michaud, City Manager in Saco, and leadership Consultant William O'Brien for their contributions to this article.) 

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MMA Personnel Services and On-site Consulting Services

MMA Personnel Services offers a wide range of specialized on-site consulting services for our members. Personnel management and labor relations expertise is available for direct assistance or general inquiries through a toll-free telephone line. Direct on-site assistance is available in the following areas:

Labor Relations — Representation of the municipality in labor negotiations, mediation, arbitration and grievance processes.

Executive Search — Assistance with the recruitment of a new city or town manager or department head.

Training — On-site training in a variety of topics.

Testing — Entry level police and fire testing.

For more information on all Personnel Services programs, or general personnel management information, contact David Barrett, Director of Personnel Services and Labor Relations at 1-800-452-8786.

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

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Firefighter Fitness: Does Your Staff Pass?

By Bill Guindon, Director,
Maine Fire Service Institute

In 1997, the International Association of Fire Fighters (IAFF) and the International Association of Fire Chiefs (IAFC) established the Fire Service Joint Wellness-Fitness Task Force. This task force recognized the need for a holistic and non-punitive approach to wellness and fitness in the fire service. The task force then realized that municipalities were hiring people who were not physically fit for firefighting. As part of this partnership, the task force agreed to develop a pre-employment physical ability testing of candidates. Through the efforts of a combined labor/management collaboration of 10 U.S. and Canadian cities, the Candidate Physical Ability Test (CPAT) was created.

The Candidate Physically Ability Test is an entry-level evaluation of the physical abilities of a candidate to successfully perform the demanding functions of firefighter. The test has been validated by the U.S. Department of Justice, providing a legal buffer in pre-employment screening. Fire departments using the test are required to comply with all CPAT licensing requirements. The test consists of eight stations, which include: a stair climb; ladder raise and extension; hose drag; equipment carry; forcible entry; search and rescue drag; and, ceiling pull under a structured timed process.

It is important to point out that not just any fire department can utilize the

CPAT test for pre-employment physical ability testing. The test can only be administered to candidates for pre-employment screening for full-time paid firefighter positions. The CPAT cannot be used to assess incumbents, per diem or call/volunteer firefighters or by any fire department. The CPAT can only be administered by licensed agencies with established peer fitness trainers and have completed the application process and transportability study, which includes a demographics survey, weighing of equipment and job task assessments.

During the past year the Maine Fire Service Institute has participated in an endeavor with the South Portland and Scarborough Fire Departments and the Portland Area Metro Fire Chiefs I am happy to report that the entities have become licensed to use the test during the pre-employment screening process for firefighters. The Scarborough Fire Department recently administered the first CPAT with a success rate of 75 percent.

Here are some comments from South Portland Fire Chief Kevin Guimond and Scarborough Fire Chief Mike Thurlow about the CPAT:

Chief Kevin Guimond: "South Portland desired the move to the CPAT testing process for several reasons. First, CPAT is not simply an agility test. When you bring in the peer fitness component, it enhances your ability to help our current employees as well as potential employees to stay physically in shape. Our hope is to build out this program and integrate the fitness initiative to encourage a cultural change. The cooperation from the IAFF and IAFC has made this an exceptional process. It is fair process for everyone involved."

Chief Mike Thurlow: "I pursued it as an opportunity to both improve upon our previous PAT testing process and to broad-

en and improve our current wellness/fitness initiative. The CPAT is a nationally sanctioned, vetted and standardized tool which makes the test fair and on par with many other departments. It also reduces liability concerns and potential legal challenges to the use of other evaluation methods."

As a result of the success of the South Portland and Scarborough CPAT endeavor, the Maine Fire Service Institute is considering the establishment of a statewide Candidate Physical Ability Test at our facility in Brunswick. In order for the Fire Service Institute to establish the CPAT program, the participation of no less than at eight to 10 fire departments will be required.

It is important for any fire department considering implementation of the CPAT to realize that each fire department will be required to meet licensing requirements established by the IAFF/IAFC, which include peer fitness trainers and data generation and tracking. The use of the CPAT name or any of the program components for pre-employment testing is strictly prohibited without the CPAT license. However, those fire departments that are not affiliated with the IAFF or IAFC are permitted to participate in the CPAT upon successful completion of the license application requirements.

The Maine Fire Service Institute will host an information session for fire chiefs, chief officers, union officers and human resources administrators on the IAFF/IAFC Peer Fitness Trainer and the Candidate Physical Ability Testing program April 24, from at 10 a.m. to noon, at the Maine Fire Service Institute, 19 Sewall St. in Brunswick. Please email: BGuindon@SmccMe.edu to reserve a slot for the session no later than April 15. [m](#)

(For more information on the IAFF/IAFC Joint Wellness-Fitness Initiative or CPAT please go to the following links: <http://www.iaff.org/HS/Well/index.htm> or <http://iafc.org/Programs/content.cfm?ItemNumber=1167&navItemNumber=579r>. Contact Bill Guindon if you have any questions: BGuindon@SmccMe.edu.)

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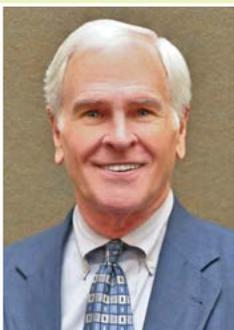
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2014 KEYNOTE SPEAKER

MIKE FRANK

"The Only Thing Constant is Change." Mike Frank, a sought-after speaker based in Ohio and former president of the National Speakers Association, will address managing change during fast-paced times. Mike, who brings nearly 30 years of experience in international sales, promises that his upbeat style will have the audience laughing, learning – and looking forward to whatever the future holds.

2014 Technology Conference

Highlights and Agenda

**8:00 – 8:30am Registration/Continental Breakfast/
Visit with Partners**

8:45 – 9:45am Welcome & Keynote Address

Welcome

Gerard “Jerry” Jalbert, Mayor, City of South Portland, City Councilor District 5

Keynote Address – The Only Thing Constant is Change

Mike Frank, a sought-after speaker based in Ohio and former president of the National Speakers Association, will address managing change during fast-paced times. Mike, who brings nearly 30 years of experience in international sales, promises that his upbeat style will have the audience laughing, learning – and looking forward to whatever the future holds.

9:45 – 10:00am Morning Break/Visit with Partners

10:00 – 11:00am

Joining Public Meetings with Technology

It's not always possible for citizens to attend public meetings, so what technology is available to bring meetings to your citizens? This session will explore the various technologies available to assist municipalities in making their public meetings more accessible to citizens remotely.

Presenters: Richard Thompson, Chief Information Officer, University of Maine System; Michael Cyr, Strategic Information Technology Architect, University of Maine System.

Creating a Personnel Policy for Technologies

Attendees will learn how to create a personnel policy for computer usage, which, these days, includes much more than just computers! Handheld devices, social media, Internet usage, passwords, security – the list goes on and on and keeps changing. This session will focus on what to consider before sitting down to write that policy, how to organize it, what is realistic and how to enforce the policy effectively.

Presenters: Kristy Gould, Human Resources Director, City of Augusta; Fred Kahl, Director of Information Technology, City of Augusta and Augusta School Department.

The Maine Ortho Imagery Program and Raster Analysis for Municipalities Leveraging the Maine Ortho Imagery Program

Session Part 1: The Maine Ortho Imagery Program (10:00 – 10:30)

Maine is currently in year three of a five-year recurring program to provide updated aerial photos for the entire State, in a format that is controlled and publicly available. This presentation will discuss the background of the project, current status and participants, and what our future plans are. Come see how this program has saved counties and municipalities thousands of dollars, while providing them with a critical tool for assessing, planning, public safety and infrastructure management. The presentation will also show

municipalities how the data may be used as web services, or downloaded using our free viewer.

Presenters: Michael Smith MS, GISP, State GIS Manager, State of Maine Office of GIS; Joseph Young, State of Maine Office of GIS.

Session Part 2: Raster Analysis for Municipalities Leveraging the Maine Ortho Imagery Program (10:30 – 11:00)

Raster data, most often in the form of aerial or satellite imagery, is commonly employed as the basis for many municipal GIS operations. Providing an accurate and up-to-date visual reference, raster maps are the foundation upon which many vector layers are created and edited. Using the latest geospatial software, municipal officials are now able to fully utilize readily available imagery layers for procedures such as boundary determination, forestry or vegetation coverage, urban planning and much more. During this presentation, we will explore many of the raster processing tools that are available in Maine-based Global Mapper software. We will look at downloading, cropping and tiling imagery, basic feature extraction, adjusting the transparency to concurrently view overlapping layers, blending raster layers, creating geographically referenced data from scanned maps and imagery, and we will investigate the latest advanced raster calculation functionality.

Presenter: David McKittrick, Senior Application Specialist, Blue Marble Geographics.

MePUC Municipal Infrastructure Mapping & Requirements

Mapping of any resource can be tedious, costly and complex. The MPUC Chapter 140 Rule provides details and deadlines by which a utility must map its key infrastructure. With the deadlines looming, many utilities are not equipped to properly address this requirement. The Rule's mapping requirements can also help utilities plan for future improvements. An overview of the requirements, map development methods, and other considerations will be discussed to assist utilities of varying sizes with compliance and future planning.

Presenter: Levi Ladd, GIS Analyst, CES Inc.

From Brick to TriCorder: How FirstNet Will Change a Medic's Mission

FirstNet is a proposed wireless, interoperable national communications network for public safety and emergency response organizations. Kevin McGinnis, a forty year EMS veteran, has served as Maine state EMS director and as chief of two large EMS agencies in our state. As communications technology advisor for five national EMS associations, Kevin was named by the Secretary of Commerce to sit on the inaugural FirstNet Board in 2012. He will describe how a dedicated public safety network will change the way Maine's EMS providers serve patients, how all of public safety will benefit, and what the implementation process will be in establishing what could well be among the country's largest wireless communications providers.

Presenters: Kevin McGinnis, MPS, Paramedic, FirstNet Board; Lisa Leahy, Associate Executive Director, the ConnectME Authority.

11:00 – Noon

Social Media Dos & Don'ts

Social media are popular among citizens, so Facebook, Twitter, YouTube and other communication vehicles have become effective ways to communicate – if used properly. This session provides municipal officials and staff with important information that will help in planning and implementation of a social media strategy. The discussion will include sample policies, potential benefits and possible concerns, a review of key laws and legal guidelines as well as some “lessons learned” from a Maine municipality. Participants will learn techniques and tips to improve the likelihood of successful media implementation.

Presenters: Eric Conrad, Director of Communication & Educational Services, Maine Municipal Association; Amanda Meader, Staff Attorney, Maine Municipal Association; Detective Dorothy Small, City of Ellsworth Police Department.

Web-Based Time Management Tools for Public Employees

This session will demonstrate several popular web-based time management applications and tools currently available that are easy to use and cost effective. Come see what's out there and what you and your staffs can use to increase workplace efficiency without becoming a slave to the technology!

Presenter: Ross Lasley, The Internet Educator.

Firefighting, Police Work and GIS

Law enforcement agencies use GIS to visualize and better understand crime and other social ills within their jurisdictions. These agencies also use the locations of past events to plan and prepare responses to current or potential future problems. The first part of this presentation will provide an overview of how GIS is used to support Community Policing in the City of Auburn, Maine. The second section of will focus on firefighting. Interested in knowing ways to help your local fire department implement or utilize GIS systems and data? The ideas and projects are endless. This workshop will focus on primary issues facing fire departments in this day and age, as well as ideas for how you and your GIS programs can help.

Presenters: Steve Harmon, Crime Analyst/GIS Coordinator, Auburn Police Department; Vicki Schmidt, GIS Specialist, State of Maine and Maine Fire Service Instructor.

GIS for Resolving Public-Private Access Disputes

A consideration of how two Maine communities have used GIS to assert ownership of seaward-facing properties where demand for access to sandy beaches is high. The two towns are distinguished by desirable beaches for recreational purposes and high-valued properties contiguous to the beach whose owners desire privacy. Old Orchard has its famous 3-mile long beach and Kennebunkport is currently in litigation over rights to Goose Rocks Beach, arguably the most expensive stretch of beach in the state of Maine.

Presenter: Thomas Burns, President, GIS Mapping and Analysis.

Broadband Capacity Building in Maine

A recently released task force report regarding broadband in Maine will be presented, including current availability and usage information, along with the task force recommendations for increased use of broadband and, as a result, economic growth in Maine.

Presenters: David Maxwell, Program Director, ConnectME Authority; Charles Lawton, Chief Economist, Planning Decisions, Inc.

Noon – 12:40pm Buffet Luncheon

12:40 – 1:30pm

Luncheon Address: Municipal Mapping for the 21st Century: Tools for Sustainable Communities

Grow Washington-Aroostook is a regional planning process focused on job creation, modern infrastructure, and healthy, affordable communities in Aroostook and Washington Counties. Under the GroWA project, the University of Maine at Machias teamed up with the Washington County Council of Governments develop a variety of mapping tools and products to support decision-making. The project includes web-based interactive maps for Washington County towns to support planning, assessment, code enforcement, flooding scenarios, and more.

Presenter: Tora Johnson, Director/Instructor, GIS Service Center & Lab, University of Maine at Machias.

1:30 – 1:45pm Afternoon Break/Visit with Partners

1:45 – 2:45pm

New Voting Machines for Maine

In 2013, Maine rolled out new voting machines with digital scanners and stepped-up tech in 228 municipalities. This session will discuss the procurement process, what's important to know about them and what should be communicated to your citizens to ensure a smooth election process.

Presenter: Julie Flynn, Deputy Secretary of State, Bureau of Corporations, Elections and Commissions, State of Maine.

Social Engineering

As the technical information security tools matured, the cyber-attack landscape changed. The days of direct attacks against your external perimeter are waning, if not yet over. The perpetrators now target the other, more vulnerable aspect of your information security – your people. The human element is the most difficult to predict and control and often the most vulnerable. The real-world hackers are well-trained in exploiting common psychological traits, or the art of Social Engineering, to manipulate individuals into performing requested actions or divulging sensitive information. This session will focus on how to detect and respond to these attacks, as they come in from various attack vectors, such as email, phone or even personal interaction. We will also discuss the fundamentals of information security and how to apply this knowledge in the day-to-day operations. You will leave this session with the knowledge of basic security concepts, the ability to identify common social engineering techniques and vectors, specific strategies to protect yourself from becoming a victim and time on building a security culture in your organization.

Presenter: Eugene Slobodzian, PhD, CISSP, Practice Director, InfoSecurus.

Free Web Mapping Tools that Help Municipal Government

Did you know there are free online tools designed to help your town or county more easily conduct its business? There are! Come see these five 'lightning' demos, with the experts that manage them. Tools to be covered include Begin With Habitat, Maine GeoParcels Viewer, Maine DOT

projects site, Stream Habitat tool, and the NG911 change request tool.

Presenters: Michael Smith MS, GISP, State GIS Manager, State of Maine Office of GIS; Joseph Young, State of Maine Office of GIS.

New Uses of LiDAR and GIS Technology for Visualizing Sea Level Rise and Coastal Flooding Impacts in Maine

Over the past several years, the Coastal Services Center developed new techniques to map sea level rise and coastal flooding impacts using high-resolution lidar-based elevation data. A map viewer displays flooding impacts on local public infrastructure, mapping confidence, flooding frequency, marsh impacts, and social and economic impacts from potential inundation. Downloadable geodatabases contain inundation, confidence, and digital elevation model (DEM) data layers that can be used in desktop analyses. This paper will provide a discussion of new methods, the status of new tool development, and a look at local applications of the data.

Presenters: Jamie Carter, Geospatial Coordinator, NOAA; Doug Marcy, Coastal Hazards Specialist, NOAA; Keil Schmid, Topographic Mapping Specialist, NOAA.

Innovative Approaches to Re-purposing Technology Equipment and Increasing Technology Skills

Learn why two programs in Maine (eWaste Alternatives and PCs for Maine) are receiving acclaim for efforts to reduce electronic waste and to increase technology use and skills through deployment of refurbished equipment to community support efforts in Maine.

Presenter: Chris Martin, Founder, Information Technology Exchange and the PCs for Maine Program.

2:45 – 3:00pm Afternoon Break/Visit with Partners

3:00 – 4:00pm

Digital Payments – Should We or Shouldn't We?

Accepting credit cards, debits cards and other forms of electronic payments is pretty much the norm these days, but is it right for everyone? This session will talk about the process of implementing digital payments and what you should think about before taking the plunge. Included in the discussion will be a "live" example with a Maine municipality.

Presenter: Danielle McGillicuddy, Internal Sales and Communications Manager, Nationwide Payments.

Municipal Website Tips

You can find a website for just about anything these days. It doesn't mean they are all user friendly. This session will discuss what should be on every municipal website and how to create and maintain it on a shoestring budget. It will also serve as an excellent resource for those people who have been handed the "website baton" with little or no website experience.

Presenter: Ross Heupel, Marketing Director, GovOffice.

Municipal Uses of ArcGIS Online for Web & Mobile Mapping Applications

Online mapping was once reserved for only municipalities with large enough budgets to either contract out web mapping services, or purchase expensive infrastructure and host themselves. ESRI's latest ArcGIS Online platform enables

municipalities of all sizes to utilize online web-mapping solutions in their organizations. In this presentation, you will learn how some of Maine's largest cities, as well as smaller towns are implementing ArcGIS Online. You will also hear about challenges in adopting ArcGIS Online, as well as how to get started with ArcGIS Online in your organization.

Presenters: Ray Corson, President, Corson GIS Solutions; Rosemary Mosher, GIS Manager, City of Auburn.

GIS for Assessing Officers

What are some ways you can use a GIS to help in your duties as an Assessor? Explaining valuations to taxpayers and appraisers, reviewing sales in ratio studies, as well as providing custom maps for co-workers and the public are just a few. In this demonstration, Kyle will share some tips on various ways to display parcel data, "join" Excel files to GIS layers, and analyze sales information.

Presenter: Kyle Avila, Assessor, Town of Mt. Desert.

Leveraging the Power of High-Speed Internet to Build Trust

Learn how municipalities can use the internet to achieve goals of connecting with residents and others to appear more attractive to prospective residents and businesses, disseminate information more effectively, and increase the efficiency of local government.

Presenter: Matthew Rideout, Interactive Marketing Manager, Nancy Marshall Communications.

4:15 – 4:45pm

GovOffice User Group

Calling all GovOffice Maine clients! This annual meeting of the GovOffice User Group gives you the opportunity to meet with GovOffice staff to discuss advancement and new design solutions, as well as the opportunity to provide feedback and ask questions.

Presenter(s): Ross Heupel, Marketing Director, GovOffice

MEGUG Scholarship/Grant Recipient Presentations & Business Meeting

Registration: \$70 (MMA Members, Non-profit, Gov't Agencies, MEGUG) / \$70 (ConnectME Authority Affiliates) / \$100 (Business Reps) / \$140 (Non-member Municipalities)

Register online at: www.memun.org (click on the Technology Conference logo).

Questions : If you have questions regarding registration, please call Educational Services at 1-800-452-8786 (Augusta area, 623-8428).

Overnight Rooms: An overnight room block has been set up at the DoubleTree by Hilton in South Portland for attendees and sponsors at the rate of \$92/night (plus tax). To make your overnight reservation, please call the DoubleTree by Hilton at (207) 775-6161 and reference the Municipal Technology Conference rate.

Affiliate Certification/CEUs: Several sessions qualify for certification points or CEUs from the following: MTCMA, MTCCA, MFCA, MMTCA. Also CMA/CAT re-certification credits through Maine Revenue Service are available. To see the full listing of credits, visit our website at www.memun.org and click on the 2014 Municipal Technology Conference link on the home page.

2014 MMA & Affiliate Training Calendar

KEY TO WORKSHOP SPONSORS

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

*Please note that the listings with a  symbol are new courses!

MARCH

3/4	Tax Liens Procedures	Bangor – Spectacular Events	MMTCTA
3/5	 Title 30-A Title 30-A Video Conference	Augusta – MMA Caribou – Northern ME Dev Comm (NMDC)	MTCCA MTCCA
3/13	Title 30-A	Portland – Fireside Inn & Suites	MTCCA
3/14	MWWCA Ski Day	Rangeley – Saddleback Mountain Ski Resort	MWWCA
3/19	Tax Liens Procedures	Old Orchard Beach – Captain's Galley	MMTCTA
3/20	MBOIA Membership Meeting/Training	Old Orchard Beach – Captain's Galley	MBOIA
3/21	Advanced GA	Brewer – Park & Recreation Center	MWDA
3/25	Local Planning Boards/Boards of Appeal	West Kennebunk – Fire Station	MMA
3/26	Vital Records	Portland – Fireside Inn & Suites	MTCCA
3/26-3/27	MFCA/MFPSC Joint Conference	Newry – Sunday River Ski Resort	MFCA/MFPSC
3/28	MFCA/MBOIA Joint Training	Newry – Sunday River Ski Resort	MFCA/MBOIA
3/28	35th Annual Statewide Manager Interchange	Bangor – Hilton Garden Inn	MTCMA

APRIL

DATE:	COURSE NAME:	LOCATION:	SPONSORED BY:
4/2	Verbal Judo	Augusta – MMA	MMA/Affiliates
4/3	MCAPWA Spring Meeting/Training	Waterville – T & B's Celebration Center	MCAPWA
4/4-4/5	MACA Annual Meeting/Training	Bangor - Hollywood Casino & Hotel	MACA
4/8	New Clerks Workshop	Bangor – Spectacular Event Center	MTCCA
4/10	Labor & Employment Law	Augusta – MMA	MMA
4/15-4/17	Supervisory Leadership for Public Works I	Gorham – Municipal Offices	MCAPWA
4/16	Basic Excise Tax	Augusta – MMA	MMTCTA
4/18	MWWCA Spring Conference	Orono – Black Bear Inn	MWWCA
4/28-4/29	MWDA Spring Training Seminar	Bangor – Hollywood Conference Center	MWDA
4/29	Basic Municipal Budgeting	Orono – Black Bear Inn	MMA
4/30	Local Planning Boards/Boards of Appeal	Skowhegan – Recreation Center	MMA

2014 MMA & Affiliate Training Calendar

MAY

5/1	Municipal Technology Conference	South Portland – DoubleTree By Hilton	MMA
5/6	Elected Officials Workshop	Orono – Black Bear Inn	MMA
5/8	Boards of Assessment Review	Augusta – MMA	MAAO/MMA/MTCMA
5/8-5/9	MMTCTA Annual Conference	Bangor – Cross Insurance Center	MMTCTA
5/13	Local Planning Boards/Boards of Appeal	Brewer – Jeff’s Catering	MMA
5/15	Records Management	Bangor – Spectacular Event Center	MTCCA
5/19-5/20	Maine Code Conference	Sebasco Estates – Sebasco Harbor Resort	MBOIA/MFCA
5/20-5/22	Supervisory Leadership for Public Works II	Gorham – Municipal Offices	MCAPWA
5/20	Voter Registration	Augusta – MMA	MTCCA
5/21	Title 21A	Augusta – MMA	MTCCA
5/29	Elected Officials Workshop	Presque Isle – Northeastland Hotel	MMA

JUNE

6/3	Local Planning Boards/Boards of Appeal	Machias – University of Maine	MMA
6/4	 Social Media Do’s and Don’ts	Dedham – The Lucerne Inn	MMA
6/5	Highway Congress	Skowhegan – Skowhegan Fairgrounds	MCAPWA
6/12	Elected Officials Workshop	West Kennebunk – Fire Station	MMA
6/17	Cash Management	Bangor – Spectacular Event Center	MMTCTA
6/18	Elected Officials Workshop	Northport – Point Lookout	MMA
6/24	New Managers Workshop	Augusta – MMA	MMA/MTCMA

JULY

DATE:	COURSE NAME:	LOCATION:	SPONSORED BY:
7/1	Municipal Law for Clerks Mun Law/Clerks Video Conference	Augusta – MMA Calais – Washington Cty Comm College (WCCC)	MTCCA MTCCA
7/15	Payroll & 1099 Procedures	Augusta – MMA	MMTCTA
7/17	MFCA Membership Meeting/Training	Hope – Fire Station	MFCA
7/23	Managing Freedom of Access Requests	Pittsfield – Town Hall	MMA
7/24	MBOIA Membership Meeting/Training	Augusta – MMA	MBOIA

AUGUST

8/13-8/15	69th New England Management Institute	Newry – Sunday River Ski Resort	MTCMA
8/19	I’ve Got the Job, What Now?	Augusta – MMA	MMTCTA
8/20	Vital Records	Bangor – Spectacular Event Center	MTCCA
8/26	New Clerks Workshop New Clerks Video Conference	Augusta – MMA Caribou – Northern ME Dev Comm (NMDC)	MTCCA MTCCA
8/28	Elected Officials Workshop Elected Officials Video Conference	Augusta – MMA Machias – Sunrise County Economic Council (SCEC)	MMA MMA

SEPTEMBER

9/3-9/5	MAAO Annual Conference	Sebasco Estates – Sebasco Harbor Resort	MAAO
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2014 MMA & Affiliate Training Calendar

9/5-9/7	51st Annual MSFFF Convention	Farmington	MSFFF
9/9	Networking Day & Annual Meeting	Waterville – Waterville Elks	MTCCA
9/17-9/19	MWWCA Fall Convention	Newry – Sunday River Ski Resort	MWWCA
9/25	MBOIA Annual Meeting/Training	Gray – Spring Meadows	MBOIA

OCTOBER

10/1-10/2	78th MMA Convention	Augusta – Augusta Civic Center	MMA
10/21	Fair Labor Standards Act	Augusta – MMA	MMA
10/22	Local Planning Boards/Boards of Appeal	Bethel – Bethel Inn	MMA
10/28	Labor & Employment Law	Augusta – MMA	MMA
10/29	Customer Service Excellence	Augusta – MMA	MMA

NOVEMBER

11/6	Municipal Law for Tax Collectors/Treasurers	Orono – Black Bear Inn	MMTCTA
11/13	Municipal Law for Tax Collectors/Treasurers	Augusta – MMA	MMTCTA
11/18	Personnel Practices	Lewiston – The Green Ladle	MMA
11/19	Grant Writing & Funding	Augusta – MMA	MMA

DECEMBER

12/2	Roles of Elected Officials & Municipal Mgrs	Augusta – MMA	MMA
12/9	Local Planning Boards/Boards of Appeal PB/BOA Video Conference PB/BOA Video Conference	Augusta – MMA Caribou – Northern ME Dev Comm (NMDC) Fort Kent – Northern ME Dev Comm(NMDC)	MMA MMA MMA
12/11	MBOIA Membership Meeting/Training	Lewiston – The Green Ladle	MBOIA



WHO TO CONTACT:

1-800-452-8786 or 207-623-8428

Eric Conrad, Director of Communication & Educational Services.....x2390

MMA Educational Events:

Margaret Noel, Manager, Educational Services.....x2304

Denise Kolreg, Training & Affiliate Groups Office Coordinator.....x2296

Affiliate Training:

(MACA, MAAO, MBOIA, MCAPWA, MCDA, MFCA, MMTCTA, MWDA, MWWCA)

Joan Kiszely, Affiliate Liaison.....x2297

Melissa Carver, Affiliate Office Admin. Asst. IIx2299

(MSFFF, MTCCA, MTCMA)

Margaret Noel, Manager, Educational Services.....x2304

Denise Kolreg, Training & Affiliate Groups Office Coordinator.....x2296



Julie Anderson

Monson Town Manager **Julie Anderson** announced that she will retire after a quarter-century serving the town, including the last eight as manager. Anderson, who joined the town staff in 1992 as a clerical worker,

was named interim manager in 2006 and soon after, was named permanent manager. Anderson said she intends to stay involved in community groups and activities.

The South Portland Police Department has chosen **John Bostwick** as its Officer of the Year for 2013. Department leaders, who choose the top officer, praised Bostwick as a consistently outstanding officer, having been named officer of the month twice last year, as well as receiving the top honor in 1988, just two years after joining the force.



Carline Dube

Glenburn Tax Collector **Carline Dube** will retire effective Feb. 28 after 24 years of service to the town. Dube also serves as deputy town clerk, deputy registrar of voters, deputy election warden and general assistance administrator. She and her husband, Gaetan, are looking forward to vacationing and spending more time with family, especially their two young granddaughters, who live in Topsham.

Winslow Police Chief **Jeffrey Fenlason** resigned in early February after 12 years with the department. Fenlason said he wants to seek a different line of work after a long law enforcement career.

New Gloucester Planner **Paul First** has been named acting town manager after the top candidate dropped out of the running. Selectmen are entering their fourth month in the search for a replacement for former manager Sumner Field, who stayed on the job until Feb. 14 to help during the



Paul First

search process. Field worked as manager for five years. First said he will continue his planner's duties, as well as all positions assigned to the manager, including treasurer and road commissioner, among many others.

Selectmen received 64 applications for the job before their top pick bowed out.

Jessica Shumaker Grondin will begin this month as the City of Portland's communications director. A Bangor native, Grondin worked as a media specialist for former Boston Mayor Thomas Menino. Most recently, she served as marketing manager for the Pierce Atwood law firm in Portland. She earned a bachelor's degree in communications from Regis College in Weston, Mass. She replaces Nicole Clegg, who resigned last fall to take a position with a nonprofit agency.



Mark Hough

Former Yarmouth Town Councilor **Mark Hough** died in mid-February of a heart attack while shoveling snow. He was 54. Hough served as councilor from 2004 through 2010, including as chairman. Hough also served the town on the zoning board of appeals, the harbor and waterfront committee and the Cumberland County budget panel. He was remembered for his strong opinions and deep commitment to the community, as well

being a successful businessman.

Trudy Lamoreau has been hired as Litchfield's town manager. She signed a two-year contract in early January, after serving as interim manager following the departure of former manager Michael Byron last summer. Lamoreau has worked for the town for 11 years as office manager, deputy town clerk and tax collector. She also is a former school board member.

Donald Alexander, who served the town of Raymond for 50 years as a volunteer firefighter and EMT, died on Jan. 27, two days before his 74th birthday. Alexander was a captain of the department and also a charter member of the town's rescue service. Alexander also is a former emergency management agency director for the town who served for many years as animal control officer.

Marcie Lovejoy, a founding member of the Alna First Responders in 1985, announced recently she will end her career after 30 years, in February 2015. She is the only founding first responder still serving the town. Lovejoy said that while the work has been challenging and rewarding, she is tired and ready for a change.

James Murray was elected to fill an empty Fairfield Town Council seat after the four sitting councilors were tied between Murray and former Councilor Tracey Stevens. Murray will serve one year of the three-year term of Richard Letourneau, who resigned before even taking office. Letourneau defeated Murray for the seat last fall. An election will be held in November to fill the two final years of the term. [mm](#)

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Statewide: A U.S. District Court judge ruled in February that the City of Portland's restrictions on panhandling were unconstitutional because they limited free speech. The city had not made a decision as of early March about whether to appeal the ruling. The ban, supported by Portland residents and visitors, took effect last September after much debate. The ban was intended to keep panhandlers out of the city medians, where some motorists complained the panhandlers often walked through traffic. The American Civil Liberties Union challenged the ban and arguments were heard in November. City attorneys asserted the ban was a public safety issue, but the judge ruled the city was allowing certain types of free speech in city medians by allowing political signs to be erected. Thus, he concluded the ban was not "content-neutral," a pivotal point in determining the ban's constitutionality. Other Maine municipalities are presently considering similar bans, such as Augusta, Lewiston and Biddeford. The ruling may have national implications.

Statewide: Cities and towns across Maine are worried about their depleted sand and salt supplies, as well as payroll and equipment costs, as the seemingly never-ending winter of 2013-14 continued to drop snow, sleet and ice on the state in March. Most recently, the City of Sanford calculated it had used 63 percent of its annual Public Works budget in the first 33 weeks of the fiscal year.

Bangor: The police department is having a hard time finding men and women with the right stuff. In fact, small and large municipalities across Maine are struggling to find qualified candidates to work as cops. Even the City of Portland, Maine's largest, and the Maine State Police, have reported difficulties recruiting candidates. The problem is not due solely to a lack of candidates, Bangor officials said, but also not being able to find good, qualified people.

Machiasport: Selectmen from several towns near the Downeast Correctional Facility are lobbying the state

to keep the minimum-security prison open. The state wants to close the small prison in Washington County or downsize other larger prisons in order to cut state corrections costs. The proposal also calls for doubling the size of the Maine Correctional Center in Windham. Selectmen in Machiasport, Machias, East Machias and Whiting overwhelmingly supported a resolution calling for the prison to remain open. Votes are expected this month in Alexander, Cutler and Jonesboro, with more towns also considering signing the resolution.

Naples: Got water? Town residents learned in February that James W. Sewall Co. struck three aquifers at three different locations, a virtual gold mine of protected high-quality

water to feed the needs of residents and the elementary school, where high levels of radon were detected last year. The Sewall hydro-geologists said the aquifers they found were among the most productive they have ever seen in Maine.

South Portland: Police Chief Ed Googins is recommending the city council not follow the lead of its neighbor, Portland, in legalizing small amounts of marijuana for recreational use. Googins said he wants the city to stand strong against allowing personal use of pot, which he described as a gateway to harder drugs. Portland voters last November passed a referendum to allow recreational use of marijuana and supporters are considering a statewide referendum next. [MTC](#)

NEW ON THE WEB

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

- **Revenue Sharing.** MMA Executive Director Christopher Lockwood thanks members, supportive state legislators and others who helped preserve \$40 million in Revenue-Sharing funding for Fiscal Year 2015.
- **Federal Issues Paper.** The 2014 Federal Issues Paper covers key issues involving municipalities and the U.S. government, including rail safety, among others.
- **Strategic & Business Plan.** MMA's Plan for 2014 offers some important insight into our plans for member service and expansion, this year and beyond.
- **Firefighter Fitness.** The Maine Fire Service Institute will hold an informational session about fitness and physical ability testing in Brunswick on April 24.

www.memun.org

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Municipal Bulletin Board

MBOIA: MEMBERSHIP, TRAINING

The Maine Building Officials & Inspectors Association will hold its March Board of Directors meeting and training session on March 20 at the Captain's Galley restaurant in Old Orchard Beach. Among the subjects to be discussed are the association's business meeting, solar electricity, solar hot water and air source heat pumps.

Registration begins at 8 a.m. and the event will conclude at 3 p.m. Cost is \$20 for members who meet the pre-registration deadline and \$30 for members at the door; or, \$30 for non-members who pre-register or \$50 at the door. Camaraderie and networking are important aspects of this daylong event.

PLANNING BOARDS/BOA: WEST KENNEBUNK

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 March 25 at the West Kennebunk Fire Station.

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.

VITAL RECORDS: PORTLAND

The Maine Town & City Clerks' Association will hold a Vital Records Workshop on March 26 at Fireside Inn & Suites in Portland. The day-long session will provide municipal clerks with an overview of the law, rules and regulations concerning vital records in Maine.

The instructors include: Kim McLaughlin, Town Clerk in Old Orchard Beach; and, Roberta Fogg from the Maine State Office of Vital Records. The history and integrity of vital records, certified copies, amendment of vital records and death and marriage records are among the topics on the agenda. Registration begins at 8:30 a.m.

The workshop concludes with a Q&A session at 4 p.m. Cost is \$55 for MTCCA members and \$75 for non-members.

2014 JOINT FIRE CONFERENCE

The Maine Fire Chiefs' Association & Maine Fire Protection Services Commission will hold their 2014 Joint Conference at the Sunday River Grand Summit Resort Hotel in Newry on March 26-28. The theme of this year's conference: "Ethics and Leadership: They Start with You."

The kickoff and featured speaker will be Chief Dennis Rubin, principal partner in the fire protection consulting firm of D.L. Rubin & Associates, which provides training, course development and independent policy review of policies and procedures for all types of fire-rescue agencies. His professional experience spans 35 years, including in the cities of: Dothan, Ala.; Norfolk, Va.; Atlanta; and, Washington, D.C.

Cost for the conference varies depending on how many days attendees are going and types of accommodations requested.

BASIC MUNICIPAL BUDGETING

Orono's Black Bear Inn will be the scene of an all-day workshop on April 29 regarding Basic Municipal Budgeting, which is designed especially for officials with responsibility for municipal budgeting and preparation. The session is led by James Bennett, City Manager in Presque Isle, and John D.

Eldridge, Director of Finance in Brunswick.

This hands-on workshop will instruct attendees on budget preparation, forecasting and controls. Cost is \$75 for MMA members and \$150 for non-members. The workshop starts with registration at 8:30 a.m. and concludes at 3:30 p.m.

PLANNING BOARDS/BOA: SKOWHEGAN

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 April 30 at the Skowhegan Community Recreation Center.

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. 

All of the upcoming workshops can be found on the MMA website. Use the following link:
<http://www.memun.org/TrainingResources/WorkshopsTraining.aspx>



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WINTER ROAD BUDGETS

It's been a punishing winter here in Maine this year, and many local officials are fretting about overspending their winter road budgets. Hard winters, of course, are nothing new for most of us, and budgeting enough to pay for them is a recurrent if not perennial challenge. Here's what we advised here the last time this was a common predicament, in March 2011:

With the return of an old-fashioned winter to most of Maine, municipal snow removal budgets are rapidly being depleted. What are the options if your winter road budget can't keep pace with the weather?

Well, to begin with, the municipal officers (selectmen or councilors) have no general or inherent authority under State law to exceed appropriations (see "Budget Overdrafts," *Maine Townsman*, "Legal Notes," May 2008).

In addition, MDOT rural road assistance funds, which are generally limited to capital improvements, may be used for winter highway maintenance *only if* there are no rural state aid minor or major collector roads in the municipality *and* the municipal legislative body has voted that its ways and bridges are in sufficiently good repair so as not to require significant repair or improvement for at least 10 years (see 23 M.R.S.A. § 1803-B(1)(A)(2)).

That said, the longstanding law authorizing up to a 15% overdraft in municipal road budgets was amended in 2009 to include road *maintenance* as well as repairs (see 23 M.R.S.A. § 2705). Thus, the road commissioner may now, with the consent of the municipal officers, spend up to 15% more than what was appropriated if that amount is insufficient for road maintenance, including snow removal, or repairs. (But note that even with this authority, any overdraft must still eventually be funded by supplemental appropriation. The authority to overdraft the budget simply constitutes authority to spend more than what was originally appropriated – it does not, by itself, actually fund the overdraft.)

Moreover, if the municipal legislative body (town meeting or town or city council) has established a contingency

account or has authorized expenditures from other accounts in case of emergency, the municipal officers may utilize these funds for unanticipated snow removal costs.

If there is no contingency fund or emergency spending authority and the statutory 15% overdraft has been exhausted, the municipal officers may have to seek additional funding from the legislative body. Funds may be appropriated from any available source, including surplus, unexpended balances in other accounts, even borrowing (but not additional taxes if taxes have already been committed for the year). The municipal officers may want to couple this request with a request for emergency spending authority in the event that even the additional funds are insufficient.

Where the voters are the legislative body, the municipal officers should, if at all possible, request extra funding *before* the winter road budget is overdrawn. Waiting until afterwards for the voters to ratify an overdraft is risky strategy unless the municipal officers are confident of the voters' after-the-fact approval. (*By R.P.F.*)

SPEAKING @ TOWN MEETINGS

Question: May a non-voter speak at a town meeting?

Answer: No, not without the consent of 2/3 of the voters present (see 30-A M.R.S.A. § 2524(3)(A)). This limitation applies even if the non-voter is a resident or taxpayer. In order to speak at a town meeting, one must either be a

registered voter or have the consent of 2/3 of the voters present.

A similar rule in Massachusetts was upheld by a federal court in 2007 after non-resident taxpayers challenged the restriction on First Amendment "free speech" grounds. The court held that a town meeting is a legislative body, much like Congress or a state legislature, and the First Amendment does not give non-members (non-voters) the right to speak at a meeting of that body (see "Limits on Speaking at Town Meeting Upheld by Court," *Maine Townsman*, "Legal Notes," February 2008).

For the record, Maine's 2/3 consent rule for non-voters applies only to town meetings. It does not apply to any other type of proceeding where the public may have a right to speak, such as at a public hearing.

Non-resident property owners and taxpayers often argue that they should also be allowed to vote at town meetings, but of course they cannot because they are not residents and cannot be registered voters (see "Voting by Non-Residents," *Maine Townsman*, "Legal Notes," December 2003).

Incidentally, there's another rule on speaking at town meetings which is applicable to all, both voters and non-voters alike: No one may speak unless first recognized by the moderator (see 30-A M.R.S.A. § 2524(3)(A)). A corollary rule is that all must be silent at the moderator's command; if not, the moderator may order the offender to leave or be removed.

For more statutory rules govern-



Municipal Calendar

DURING APRIL — Municipal officers of municipalities over 2,000 population, and of any other town so voting at town meeting, shall appoint an inspector of buildings (25 MRSA §2351).

APRIL 1 — Municipal assessments are controlled by this date (36 MRSA §502).

— Monthly/Quarterly expenditure statement and claim for General Assistance reimbursement to be sent to Department of Human Services, General

Assistance Unit, DHS #11, Augusta, ME 04333 (22 MRSA §4311).

APRIL 21 — Patriot's Day, third Monday in April, a court holiday (4 MRSA §1051).

ON OR BEFORE APRIL 21 — Every employer required to deduct and withhold tax shall, for each calendar quarter, file a withholding return and remit payment as prescribed by the State Tax Assessor (36 MRSA §5253).



ing the conduct of town meetings, see “Town Meeting Reminders,” *Maine Townsman*, “Legal Notes,” February 2007. (By R.P.F.)

NO PRESCRIPTIVE EASEMENT FOR PUBLIC USE OF BEACH

The Maine Supreme Court held recently that the public has no right to use a popular York County beach despite well over a century of continuous public use.

In *Almeder v. Town of Kennebunkport*, 2014 ME 12, the town claimed a public easement for recreational use of Goose Rocks Beach based on “prescription” (continuous use for 20 years). One of the required elements of a prescriptive easement, though, is that the use must be adverse, that is, without the express or implied permission of the landowner (see 14 M.R.S.A. § 8102).

In the case of a *private* prescriptive easement, the use is presumed to be adverse if it has been open and known to the owner. Where a *public* recreational easement is claimed, however, the Law Court wrote, “We have long recognized that public recreational uses are presumed to be undertaken with the permission of the landowner, thereby defeating the adversity element of a prescription claim.” The Court went on to explain that this presumption of permission derives from Maine’s “open lands tradition,” which encourages landowners to allow public recreational use without fear of adverse property claims.

The Court has applied this presumption before, in *Lyons v. Baptist School of Christian Training*, where sportsmen claimed a public prescriptive easement to use a 150-acre woodland (see “Prescriptive Easements for Public Recreational Uses,” *Maine Townsman*, “Legal Notes,” October 2002). Kennebunkport tried to distinguish *Lyons* (set in Aroostook County) by arguing that the presumption of permission should apply only to “wild and uncultivated land.” But the Court was unconvinced, countering that the presumption is tied not to the type of land but to the nature of the use (public recreation).

For the record, this presumption of

permission is a *rebuttable* one, but actually proving adversity or the absence of permission in a particular case seems to us a very high hurdle.

In the wake of *Almeder*, municipalities and others wishing to secure public recreational access to private property may want to explore what could well be more promising alternatives, such as negotiated agreements and deeded easements. (By R.P.F.)

PERSONAL EMAIL ADDRESSES – ARE THEY PUBLIC RECORD?

Question: We invite people to give us their personal email addresses so we can send them notices and similar one-way communications. Are these addresses a public record?

Answer: No, not as long as your communications are non-interactive. Maine’s Freedom of Access Act or “Right to Know” law was amended in 2013 to shield email addresses obtained by political subdivisions (counties, municipalities, school districts, etc.)

for the sole purpose of disseminating non-interactive communications such as notifications, updates and cancellations (see 1 M.R.S.A. § 402(3)(S)).

Subscriber email addresses for newsletters and other interactive communications where replies are possible are not included in this exception, however, and remain public information. In such cases we recommend a disclaimer that email addresses may become public knowledge.

The best way to ensure that email communications are non-interactive is to use a no-reply address when sending them. Your email service provider should be able to help you with this.

For the record, personal email addresses in the custody or possession of public agencies or officials and collected for other purposes, such as licensing or permitting, are generally public (see, e.g., “Dog Lists – Public Record?,” *Maine Townsman*, “Legal Notes,” April 2011). Again, we recommend a disclaimer. (By R.P.F.)

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