

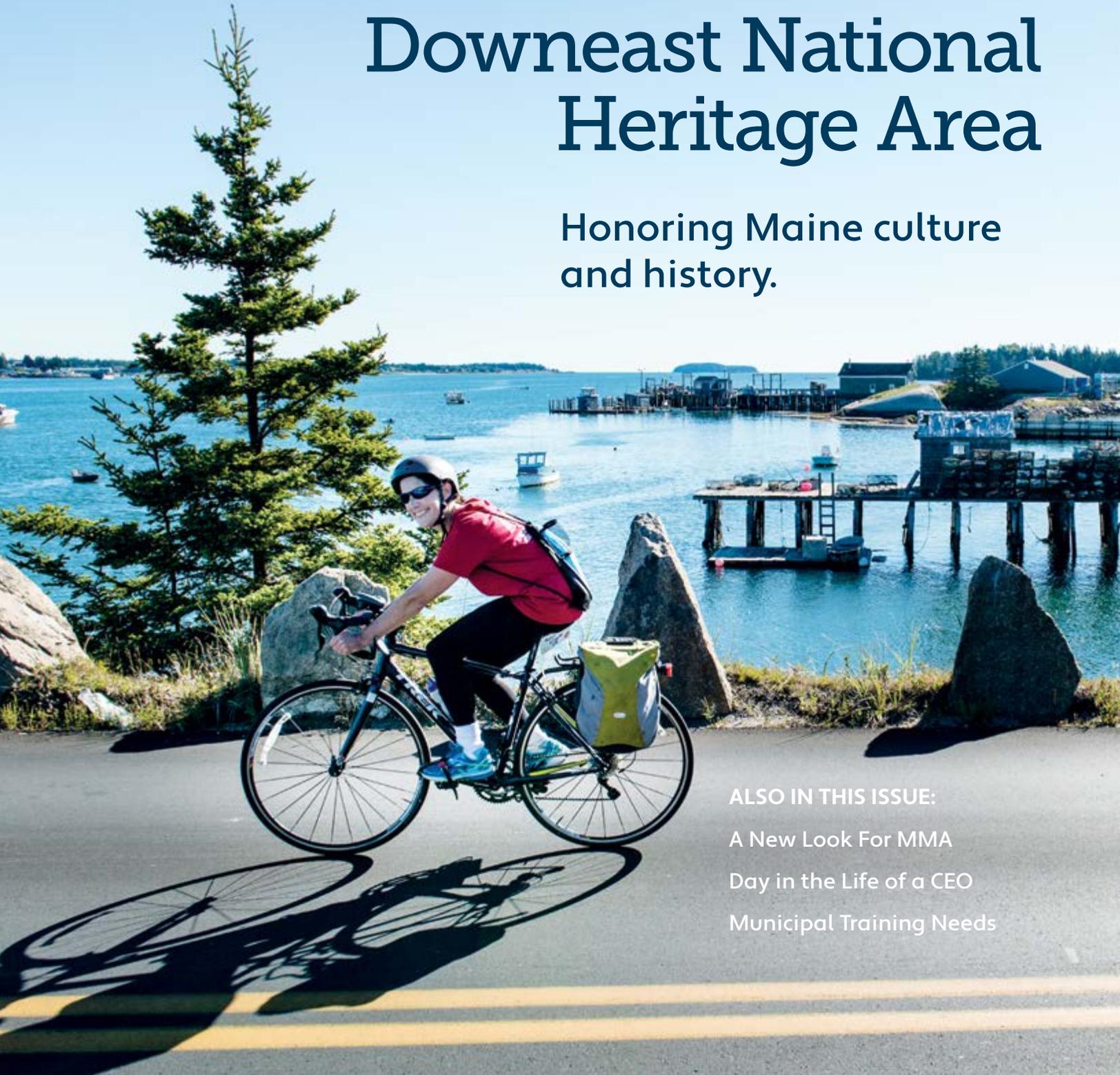
# Maine Town & City

The magazine of the Maine Municipal Association

MARCH 2023 | VOLUME 85 | ISSUE 3

## Downeast National Heritage Area

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### ALSO IN THIS ISSUE:

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# Maine Town & City



## In this issue

**COMPREHENSIVE PLANS.** Comprehensive plans are the roadmaps that guide development in our communities. While some municipalities have in-house planning capacities and others rely on consultants, its volunteers who play a vital role in the development of these plans. **PAGE 7**

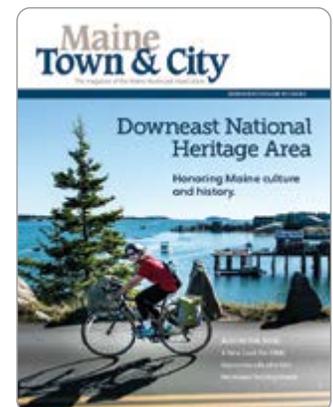
**DOWNEAST NATIONAL HERITAGE AREA.** This national designation is an important tool for leveraging partnerships and funding through the promotion of natural, cultural, and historic resources. And it is happening in Washington and Hancock counties. **PAGE 13**

**MUNICIPAL COMMUNICATIONS.** Communities across the state are taking control of their messages by hiring municipal communications specialists. In many towns and cities, this step has played a vital role in keeping residents informed, as well as to temper the spreading of misinformation. **PAGE 17**

**MUNICIPAL TRAINING NEEDS – A SERIES.** The first article of this five-part series features the training opportunities available via the Maine Workforce Development Compact. The partnership effort makes training affordable, accessible, and easily targeted at specific needs. **PAGE 21**

### Departments

Training Opportunities.....	34
People.....	36
News from Around the State.....	38
Legal Notes .....	40



**ABOUT THE COVER**  
 A bicyclist in Jonesport travels part of the 211-mile Bold Coast Scenic Bikeway that wends its way between West Gouldsboro to Calais. (Photo courtesy of DownEast Acadia Regional Tourism)

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# Change Is Upon Us

By Kate Dufour / Director, Advocacy & Communications



It is finally official. After several months of discussions, countless iterations, and trips back to the drawing board, the MMA logo is getting an upgrade. Expertly created by Sue Bourdon, MMA's graphic designer, the Association and Risk Management Services will get a colorful new logo, a sample of which can be found in the table of contents. A more modern logo has also been created for the Health Trust, retaining a cohesive, yet unique, look among MMA's program centers. Over the next several months you will see the new logo printed on our publications, training materials, letterhead, envelopes, and swag.

You may have also noticed that the *Maine Town & City* has a new look. Once again due to the work of Sue Bourdon, the magazine has transitioned from a traditional industry publication to one that is suitable for the finest coffee table. The increasing use of color enhances the photos, makes charts and tables easier to understand, and allows advertisements to pop off the page. Perhaps most importantly, the shift from a three to two-column format allows for larger print, making it easier on those of us with maturing eyes.

Over the course of the year, we will continue to run articles about the issues impacting your communities, as well as publish multi-part series that allow our pool of talented writers to delve more deeply into the topics of importance to municipal officials.

To that end, in this edition of the magazine, we are kicking off our *Meeting Municipal Training and Education Needs* series, which will explore the workforce recruitment and retention challenges facing municipal employers. The five-part series, with subsequent articles running in May, July, October, and December, will explore a variety of workplace issues including management, leadership, and public sector apprenticeships. The articles will also focus on the work

of MMA's newly created Advisory Council, which is tasked with setting the Association's strategic education and training goals, priorities, and opportunities. Peter Osborne, MMA's director of Educational Services, is currently accepting applications for nominees. Please visit our website ([www.memun.org](http://www.memun.org)) or turn to page 25 for more information about this opportunity.

In 2023, each magazine will contain a Q&A article highlighting the challenges and successes of those called to government service. Starting in July, a new special feature, *Where In Maine*, will showcase the more whimsical sides of our communities by exploring everything from historic landmarks, vibrant downtowns, where to get the best burger in town, and the stories that transcend the decades and are told with increasing embellishment.

But that is not all.

How do we make the rollout even more exciting? First, a contest. That's right, to get our readers in on the celebration, a tiny version of the new logo is hidden within this edition of the magazine. When you find it, send me an email ([kdufour@memun.org](mailto:kdufour@memun.org)) with the subject "Logo Contest" and a message noting the page number and location of the hidden logo. All correct entries received by 5 p.m. on April 14, 2023 will be entered into a drawing for a gift card.

Not to be outdone by the logo and magazine, this summer, MMA will unveil its long-awaited upgraded website, which is being designed by Ben Thomas, our Website and Social Media Editor, to be more user friendly and intuitive. In addition to being aesthetically pleasing, the website will incorporate new features to provide quick access to MMA resources, make completing workplace injury reports exciting, and help you easily locate that one legal note you remember reading a while ago and wish you had saved. See, change can be fun and rewarding. 🏡

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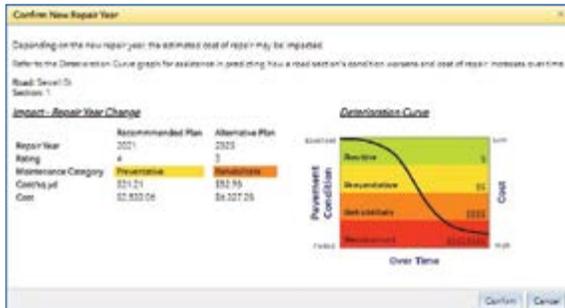
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# Comprehensive Plans

A tool for collectively mapping our communities' futures.

By Betty Adams

Photo by Drew Landry

The state's Growth Management Act requires municipalities to have local comprehensive planning and land use management. But reality fails to measure up.

According to a January 2023 "Municipal Planning Assistance Program Growth Management Program Evaluation," 132 communities have Comprehensive Plans certified as consistent with the program; an additional 183 communities have expired consistency findings; 37 communities have inconsistent plans, and another 102 communities have unknown comprehensive plan status.

"To maintain certification, a municipality or multi-municipal region shall periodically review its growth management program and submit to the (Maine Department of Agriculture, Conservation & Forestry) in a timely manner any revisions necessary to account for changes, including changes caused by growth and development," according to another section of the law.

The problems, as with many other things, are that creating and updating comprehensive plans can be expensive and time-consuming despite assistance available through regional planning organizations and the state. Those issues are particularly prevalent in small communities which might lack funding and in-house planning staff and find it difficult to get volunteers to serve on the committee.

In the Aroostook County town of New Sweden, population 602, the Planning Board was charged in 2018 with updating the Comprehensive Plan that had expired two years earlier. "When I took it on, I didn't realize the enormity of the task," said Planning Board Chair Denis Orthaus, who was new to the committee at the time.

With the assistance of Jay Kamm, senior planner

with the Northern Maine Development Commission, the board started with the template of the previous plan and updated various sections with data from the 2020 Census and added new sections with regard to recreation and land use.

"We are a small town; we do not have zoning," Orthaus said. "That kind of made it more simple. We didn't have to redo maps on zoning, and there had been nothing controversial over the past 10 years about zoning."

The committee sent out postcards with a link to an online survey tool to get feedback from residents.

Orthaus compiled those responses along with figures and other information gathered from the superintendent of schools and from Teresa LaMothe, administrative assistant to the select board, who provided information on the town's budget and audits. "If I had been starting without any of those things, it would be astronomical," Orthaus said, adding, "The sections I had the most difficulty with, state offices had information on." That included maps associated with deer wintering areas, endangered species and shoreland protection.

He used his experience with policy writing and previous committee work as well as his considerable computer skills to handle charts and update maps, and his wife, Phyllis Orthaus, who had been a legal secretary, helped with the editing. "The process took much longer for the town because we wanted the Planning Board to meet and review each section as we went along," he said. In the meantime, there was turnover on the board and then COVID-19 hit, resulting in a 12-month delay.

The plan then went to a public meeting before being submitted to the state where it was initially rejected because it lacked timber harvest and affordable housing information.



Denis and Phyllis Orthaus

Betty Adams is a freelance writer from Augusta and regular contributor to *Maine Town & City*, [adamsbetty00@gmail.com](mailto:adamsbetty00@gmail.com).



Photo by Drew Landry

After revisions, the plan was found to be complete and consistent in March 2022.

Orthaus estimated that the town spent less than \$300 on the new plan, and most of that went for printing.

LaMothe said the new Comprehensive Plan is scheduled to be presented to voters for approval in June 2023. “The Planning Board did it all based on volunteer effort,” she said.

Kamm, who has worked with many communities on Comprehensive Plans over his 30 years with the commission, said that without the efforts of Orthaus and the Planning Board, a new plan would have cost \$25,000-\$30,000.

“With the loss of the state funding, the smaller communities just don’t have the wherewithal to pay,” Kamm said. Formerly, the state funded 75-80% of the cost of writing Comprehensive Plans through the State Planning Office. However, that office was dismantled in 2012, and various responsibilities shifted to other departments and agencies.

The program evaluation report notes: “Municipalities continue to write and update comprehensive plans, often without municipal planning staff to guide the process and write the plan. Smaller, rural municipalities without staff capacity lack the financial resources to hire

consultants and must rely on local volunteers. Without professional help, the plan preparation process can take two or more years. In addition, the inventory requirements are extensive....The result can be: a) an overfocus on inventory at the expense of local energy devoted to policy and implementation, b) resulting “volunteer burn-out,” c) a large and perhaps misdirected burden on state agencies, and d) analysis that is “frozen in time” while changes in the community, in technology, the economy, the climate, and other factors are accelerating.”

Judy East, director of the state Bureau of Resource Information and Land Use Planning, said that when the State Planning Office was dismantled, there was a perception that the law no longer applied. “Municipal planning assistance exists,” she said. “The law is still there and there is still an interest by communities in doing comprehensive planning.”

She also noted that a comprehensive plan can provide a community a basis for making sound decisions with regard to land use and economic development: “It’s balancing economic prosperity with quality of life, protecting your working waterfront, providing a forum for people to gather and discuss what they want in their community and balancing where you want to grow and where you want to protect what’s precious: your farms, rare and endangered species and making decisions around all of that.”

East listed some benefits to having a consistent comprehensive plan, including mandates to state agencies to spend their money in growth areas and incentives to reward municipalities who adopted comprehensive plans. “The requirements have not been rigorously applied in the past 5-10 years by various state agencies and should be,” she said.

In 2019 in Hallowell, Drew Landry, who was new to the Planning Board at the time, was asked by Mayor Mark Walker to head the committee charged with updating the city’s Comprehensive Plan.

To formulate a new plan, the committee inventoried what the plan talked about 10-12 years ago, looking to see what was accomplished and what goals should be changed.

“In Hallowell, we have a good idea of who we are and what we want to be,” Landry said. Working with consultant Levine Planning Strategies, LLC, the group, which included individuals from different community organizations in the city, produced a plan that has been approved by both the state and Hallowell City Council. The city spent \$67,000 on the consultant contract.

“I think one thing very unique about our plan is we didn’t start with the outline of requirements the state says to cover,” Landry said. “We started with a blank piece of paper. We have items in the plan that aren’t required about who we are as a community and what we

envision ourselves to be. It makes more work, but the result is a document that policymakers over the next 10 years will turn to as a resource as they think about policy issues in the city and not something that stays on the bookshelves.”

Landry noted that the pandemic limited public outreach, so the committee used different research vehicles to communicate and gain input. “We did better than I expected in terms of being able to reach people that way,” he said. And when they got the results, he added, “It was a challenge to gather public input and try to distill very large numbers of ideas shared by citizens and committee members into a coherent document.” The plan describes the city of about 2,600 as “a center for arts and cultural activities.”

The Town of York, which has about 13,000 residents and a rocky coastline, redid its Comprehensive Plan over an 18-month period beginning in April 2021, and received a 5,499-1,374 endorsement for it at the polls in November 2022. Now, the York Comprehensive Plan awaits state approval, said Dylan Smith, York’s planning director.

“This is the first time York has submitted for acceptance for a very long long time,” Smith said. “I hope it is in compliance and allows us to go forward with certain grants and on many other initiatives. It gives the town some sway as well. For instance, if the Maine Department of Transportation wanted to lay out a road, the town would get some say in the matter.

York allocated \$200,000 for expenses and worked

with consultant CivicMoxie. The 13- member Steering Committee was led by Kathleen Kluger, who was chair of the Planning Board. She noted that the town’s charter puts the Planning Board in charge of comprehensive planning.

Kluger said the town’s 1999 plan was not approved as consistent by the state: “The Planning Board decided this time around we wanted state certification and wanted to be in compliance.” She filled the Steering Committee with chairs of the various town committees, including the Conservation Commission, the Shellfish Commission, the Energy Steering Committee, the Budget Committee, the School Committee, the Bicycle and Pedestrian Committee, the Harbor Board, the Committee to Combat Racism and Bias, the York Housing Authority as well as the Chamber of Commerce and a student from York High School. “It really filled in a lot of gaps and made it more informed,” she said. It also included Wayne Boardman, vice chair of the Planning Board, who served at the same time as chair of the committee formulating the York Climate Action Plan and working with the same consultant.

Kluger praised the assistance received from a 19-member advisory group. “The Advisors were volunteer members of the public who answered the Planning Board’s call for special assistance and opinions in laying the groundwork of important topics to explore for the new Comprehensive Plan,” she said in an email. “The Planning Board published ads in the York Weekly and on



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Facebook asking for interested citizens who could not commit to the Steering Committee's schedule, to participate in focus groups on the 12 topic areas of a Comprehensive Plan. Their input was invaluable in guiding the Steering Committee in exploring potentially 'hot' topics in town, as well as providing personal perspectives on every other topic we were to explore."

Initially the steering committee met monthly, but by the end it was twice a week. That doesn't count the events to engage the public, including a Comp Fest kick-off open house with food, games, and survey boards.

"We invited the public to come and tell us what they loved about living in York, what they didn't like, and what they wished was different," she said. Two more open houses followed to look at existing conditions in the town. Each event drew 100 or more attendees. Then there was a postcard with a survey link mailed to 10,000 property owners in the town. "We received back 1,250 responses," Kluger said. Responses were read and collated, and steering committee members were asked to leave their personal wish lists at the door. "We agreed that we would go by the majority response from the surveys and the public interaction periods," she said.

"The 80 percent approval vote was the major thing," Kluger added. "It pleased all of us to know that we really heard what people were saying, and they heard us and our recommendations. We got it right from them."

The City of Auburn opted for a different approach, amending rather than updating its Comprehensive Plan. However, a note from the Municipal Planning Assistance Program staff says, "State review of amendments does not reset the twelve year consistency finding of the plan's original consistency finding of 5/29/2012."

Director East explained, "An amendment is one section to address a specific issue that the town might be

facing. The clock is not reset with an amendment. An update is comprehensive of the entire document."

Comprehensive Plans submitted to the state are evaluated for completeness and consistency with the law itself. If the plan is deemed incomplete, the municipality receives a letter with a list of items that need to be addressed.

If inconsistent, the town or city then gathers more information or adds a section.

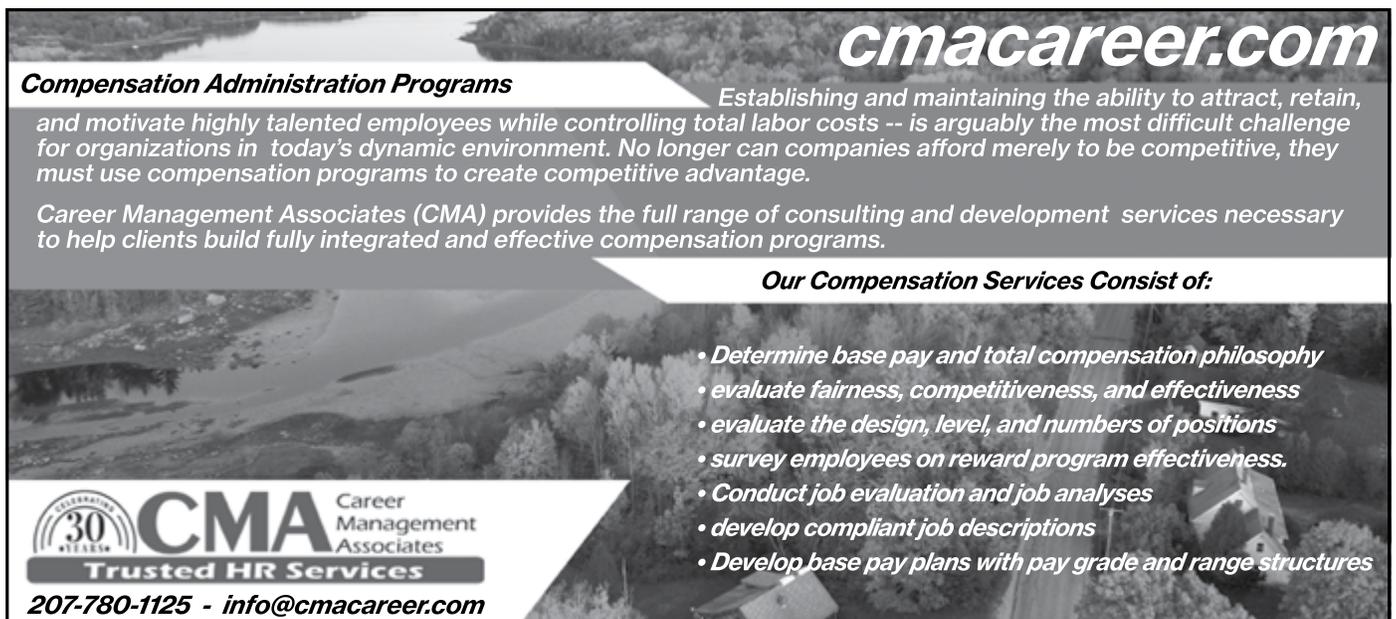
East said there might be municipalities that have not adopted a comprehensive plan, but they might well have written one.

And among the more recent communities writing a first comprehensive plan is Kingsbury Plantation, which opted to leave the Land Use Planning Commission. East said doing that requires preparation of a comprehensive plan.

She added that two towns whose comprehensive plans were made more than 30 years ago - Monticello and West Gardiner - have indicated interest in working on a new Comprehensive Plan.

Dana Staples, who was elected to the Auburn City Council in November 2021, was on the Planning Board when he was named to head the 10-person committee to amend the plan. The committee worked with city staff and the meetings were conducted through Zoom. "It was a bit of a trick to get all that coordinated and make sure everything was public," he said. "We never actually held an in-person meeting."

The amendments included changes in "Transportation Policies," "Recreation (and Open Space) Policies," "Future Land Use Plan," and a new section: "Promoting Food Access and Production and Growing the Agriculture Economy." The amendments were approved by the City Council on September 20, 2021.



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Auburn City Councilor Richard Whiting, who was on the Planning Board when he became co-chair of the 2010 Comprehensive Plan Committee, said he would have preferred to update the plan rather than submit an amendment to the state. “I felt the process with the outside expert is the best way to look at everything you need to look at.”

In preparing that older plan, the committee met two to three times a month to go through data and material chapter by chapter. “There were meetings where we would bring in farmers and talk about agricultural zoning,” he said, adding that he had been involved with other comprehensive plans as well since he was executive director of the Auburn Housing Authority for 34 years.

“You learn about the community and what people want and don’t want,” Whiting said. “If you do it right, you’ve got a nice template for the future.”

Getting the public involved in the process can be challenging, but the civic leaders continue to push for it.

“I like to encourage people to get involved, to get out there and volunteer,” said Councilor Staples. “I made a decision a while ago to get out there and get involved, and it’s been really rewarding. We’re always looking to get people to join. More voices make better work.”

Orthaus, from New Sweden, too, would like to see more involvement from the public and suggested getting youth involvement.

“Updating a Comprehensive Plan would be an ideal project for a high school-wide initiative. Overall, students participating in a Comprehensive Plan development would learn how to look up state statutes, the value of state experts in providing information and assistance,

the value of public input in designing meaningful policies and strategies, the importance of long-range planning for a municipality, and countless other life skills related to understanding their role in government. There is nothing in a Comprehensive Plan that is not open to the public or accessible online.” 🏡

### Legislative incentives for having a comprehensive plan consistent with the Growth Management Act:

- Enact legitimate zoning, impact fee, and rate of growth ordinances;
- Require state agencies to comply with local zoning standards;
- Qualify for preferred status with many state competitive grant programs;
- Guide state growth-related capital investment towards locally-chosen growth areas;
- Qualify for Site Location of Development Act exemptions for certain growth-area developments;
- Qualify for relaxed MaineDOT traffic permit standards for certain growth-area developments;
- Qualify for authority to issue Natural Resources Protection Act permits; and
- Qualify for authority to issue Site Location of Development Act permits.

Source: State of Maine Department of Agriculture, Conservation and Forestry: Maine Planning Assistance Program



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# Downeast Maine National Heritage Area

A story 10,000 years in the making.

By Janine Pineo

This story got rolling about 10,000 years ago, give or take.

It involves glaciers, a tenacious little plant, those 10,000 years and the vision of a growing group of people. The story made its way onto the floors of Congress and then the desk of the U.S. president who late last year signed into being the Downeast Maine National Heritage Area (NHA).

“It’s the cool thing about it,” said Crystal Hitchings, director of community infrastructure and promotion programs for Sunrise County Economic Council. “It’s about your story.”

For Washington and Hancock counties, this designation for that region is an opportunity to leverage partnerships and funding by using the abundant natural, cultural, and historic resources in their communities. The goal is “to form a cohesive, nationally important landscape,” according to the National Park Service’s National Heritage Area website. “Through their resources, NHAs tell nationally important stories that celebrate our nation’s diverse heritage.”

This approach to heritage conservation and economic development is locally driven. “NHAs are lived-in landscapes,” states the NHA site.

The Downeast Maine NHA is not a national park, although it is considered part of the park system because the National Park Service provides technical assistance and distributes federal funds approved annually by Congress. The designation doesn’t affect private property rights, nor does it impose land use rules.

The benefits touted for heritage areas can be significant. According to NHA information, for every dollar of federal money, NHAs average \$5.50 in economic development by creating jobs, generating revenue for local gov-

ernment, and sustaining revitalization. Restoration projects can improve air and water quality as well as provide new recreational opportunities. Local quality of life can be improved through new or improved amenities, while the

promotion of the area’s resources can nurture interest in stewardship of those resources as well as in the region’s pride of place.

And it is an opportunity for municipalities to not only invoke the favorable NHA designation when seeking funding at the federal level or from grants but to also join with a variety of groups to seek funding for those development projects that will fall under the heritage area umbrella.

While the law allows up to \$1 million annually per NHA, the figure is closer to half that, Hitchings said, with the average amount at \$350,000. “Needless to say, we will still get several hundred thousand per,” she said.



Elms tower over the Town Common in Castine. (Photo by Janine Pineo)

## The roots of the story

An NHA doesn’t just happen. It’s a coordinated effort by the community seeking the designation. For the Downeast Maine NHA, it started with the wild blueberry growers in Washington County, Hitchings said.

Yes, the iconic wild blueberry, the plant of the glacial barrens that for centuries has defined a region’s natural, cultural, and historic roots, was the impetus for seeking recognition.

Hitchings said the original pursuit was for designation as a biosphere reserve under the United Nations Educational, Scientific and Cultural Organization but the United States left the organization in 2018. The focus turned to a national heritage area.

Wild blueberries alone were too narrow for an NHA designation, Hitchings said, so the question went out to the public. “Popular sentiment was the wild blueberry was too small,” she said. “It wasn’t big enough for the broad sup-

About the Author: Janine Pineo is a freelance writer from Hudson and regular contributor to Maine Town & City, [jepineo@gmail.com](mailto:jepineo@gmail.com).



An aerial view of downtown Machias shows the historic Machias River and Bad Little Falls in the heart of downtown. (Submitted Photo)

port that was needed.”

Over the next couple of years, community participants met, selecting Sunrise County Economic Council as its 501(c)(3) management entity, meetings were held and the compiling of the required feasibility study commenced. The resulting 228-page document delved into the history of the region and the crucial role it played in the formation, founding and growth of the United States. It also outlined all of the resources already in place that bolster an NHA designation.

From blueberries to fisheries to forest products to granite, the natural resources that came from this Maine region were extractive, Hitchings said, and sent to not only other places in the country but around the world. “That becomes the story,” she said.

Involved early in the push to recognize the region was Bill Kitchen who is now the town manager in Machias, shiretown of Washington County. “The wild blueberry story is undertold and undersold,” he said. “There should never be the person who says blueberry. It’s wild blueberry.”

When it became necessary to work the fruit into a bigger picture, Kitchen was all in. He described the requirements for a heritage area as a three-legged stool with the historical, cultural, and natural resources holding it up. “We have those things,” he said. “It just seemed by definition this region was exactly that.”

And so the state’s congressional delegation was given the completed feasibility study to present as a bill to Congress for approval. The NHA program, which was created in 1984 by President Ronald Reagan, would expand to 62 sites with the addition of Maine’s first NHA and several other locations in the U.S. during the 2022 congressional session.

### Connecting with municipalities

The next step is to develop a management plan, Hitchings said, one that will span five to 10 years. “It’s pretty complex,” she said.

The new NHA has three years to develop the plan, she

said, although “the sooner we can get it finished, the sooner we can get it approved.” Limited funds will become available sometime in July to host larger community discussions, she said, but the conversations have to begin now to piece together the overall plan.

“Those are the things we can start doing right now,” Hitchings said. “We can start using the heritage area in our conversations.”

The goal is to reach out into the two counties, into local, county, state, and tribal governments, and add to the list of those involved in the development of the feasibility study, which included regional organizations

representing wild blueberries, fisheries, forestry, habitat conservation, outdoor recreation, tourism, economic development, businesses, history and culture.

Hitchings is looking to connect with the dozens of municipalities within the two counties as the management plan is developed. She is seeking priorities and projects, things that are most important to dedicate funding to. It is crucial to make sure people are seeing things happen, she said, “to provide tangible results for communities.”

Stonington is one municipality that has contacted Hitchings to find out more about the heritage designation and participate in the planning. “We were delighted to hear we were a part,” said Linda Nelson, the town’s economic development director.

Nelson pointed to “the fragility of our year-round community” as an urgent reason for Stonington to seek a foothold within the NHA planning. She said 50 percent of the downtown and 80 percent of the town’s shorefront is owned by nonresidents. Workforce housing is gone, she said.

“We’re being treated like a bank,” Nelson said. The town needs to sustain a year-round economy, she said, adding that any recognition from the federal government is helpful.

The famed, picturesque coastal community with its historic working waterfront is facing pressure from many directions. Not only is it a fragile ecosystem, Nelson said, but it is also a fragile human ecosystem, one that was thrown into stark relief in 2020 with the COVID-19 pandemic. “We had a lot of property change hands. Our towns were not prepared,” she said of Stonington and its sister municipality, Deer Isle.

The changes and pressures brought to the forefront has the communities working on an economic resilience plan.

The town’s location is a blessing and a hindrance, given it is 36 miles off the main coastal roadway. “You have to make an effort to get to us,” she said. The town is already working on getting federal money for the bridge and causeway.

Included in the town's 2017 comprehensive plan are details on the possibility of a National Historic District designation resulting from a 2015 state survey, with 19 buildings eligible for designation. Nelson said that work still needs to be completed, citing residents' concerns about any type of federal oversight.

What Nelson hopes is that the Downeast Maine NHA will lead to real investment in the communities. She sees it as a way to increase economic activity and an opportunity to work with the neighbors.

Cooperative behavior will drive the planning, said Machias Town Manager Kitchen. The NHA is designed to provide a vehicle for municipalities, two different counties, parks, and other entities to work together, he said.

Kitchen sees his municipality leading the charge to leverage economic gain from the NHA designation with the benefits helping people regionally while enriching tourists with a more complete picture of the area.

"We are the county seat. We are the service center," he said. "Stand up and lead the county."

Machias should be that model of rural vitality and sustainability, Kitchen said. "Machias leads the change and has the responsibility to do so."

The town is rich in assets: The first naval battle of the Revolutionary War took place in Machias, for example, and the renowned Bad Little Falls on the Machias River has its own park, "a mind-blowing, signature asset," Kitchen said. Several major projects are already under way, he said, and

are in various stages with overlap in places that would lend itself to possible funding through the NHA, including the dike and causeway projects, a marsh restoration, and a river walk.

"The timing is ideal," he said. "This could be an incredible recreation hub for locals and tourists."

Hitchings said her hope is that communities will work together while creating their own identities even as they show how those identities are connected.

Hancock and Washington counties have a solid foundation in their natural, cultural and historic resources. "We already have something going for us," she said.

For more information, contact Crystal Hitchings at [chitchings@sunrisecounty.org](mailto:chitchings@sunrisecounty.org) or 207-707-2057. 🏔️



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# Municipal Communications Specialists

A vital conduit for keeping residents up to-date on the work of local government.

By Stephanie Bouchard

In 2018, Marc Meyers, then Bath's assistant city manager, was at a presentation with then city manager, Peter Owen. Emily Roy, at the time Saco's marketing and communications specialist, detailed for the audience how municipalities can effectively communicate and control their message.

When Roy's presentation ended, Meyers and Owen, who had been sitting on opposite sides of the room, met in the middle, both excited. "We were like, 'That's what we need!'" said Meyers, who became city manager after Owen retired in 2021.

Meyers and Owen recognized that the city needed a better way to celebrate successes, engage the public, and effectively communicate internally as well as externally using all the channels available, and that the best way to achieve those goals was to hire a communications director.

Up to that point, the city had "dabbled" in their communication efforts, with various people taking on the role of communicating information from their departments in addition to their other duties. "Effective communication was an afterthought," Meyers said. But Roy's presentation opened their eyes.

"There were some departments that were stronger than others at being able to handle their messaging," he said, but there were gaps on the city's Facebook page, and it was easy to fall behind on keeping the city's website current.

"We were ineffective in delivering our messages," he said. Recognizing the need to improve how communications were handled – internally as well as externally – the city moved quickly. By November 2018, the city's first marketing and communications specialist was on staff.

Bath is not the only municipality in Maine to come to the realization that having a dedicated person to han-



Jessica Grondin

dle all the city's communications and marketing needs is a smart move. Portland has had a communications director for decades, and in more recent years, places such as Lewiston, Sanford, Kennebunk, and Wells have added a communications/marketing position to their staffs.

The core function of keeping the public informed is not new, said Jon Kuhl, senior executive and director of digital engagement, marketing and communication for the National League of Cities, a lobbying organization representing municipalities. However, the need for towns and cities to have a dedicated communications staffer has become critical, he said.

"The 24/7 news cycle and the speed with which information is available in other aspects of society has led residents to expect near real-time information from their local government," Kuhl said in an email. "In an era when misinformation and disinformation are omnipresent, having credible, fact-based, and transparent messengers that the public can trust is arguably more important than ever."

## Communications is not just managing Facebook

A communications director's role is wide ranging and multifaceted, said Jessica Grondin, Portland's director of communications and digital services. In the nine years she's been handling Portland's communications, she's become accustomed to shifting gears on the fly to meet the needs of the city.

Some days, all her time may be fielding calls from the media. In the early days of the pandemic, much of her focus was on letting city employees know when city departments would be open and under what conditions.

Day-to-day, Grondin handles communications with local and national media outlets, manages the relationship with the local community TV access station, monitors and maintains the city's social media platforms and website,

About the Author: Stephanie Bouchard is a freelance writer from Nobleboro and regular contributor to *Maine Town & City*, [stephanie@stephaniebouchard.net](mailto:stephanie@stephaniebouchard.net).



*(Photo submitted)*

sits in on departmental meetings and gets the word out internally and externally about the work being done at the municipal level, and provides the public with information they need to know for daily living and to make informed decisions when it comes time to vote. And since the pandemic began, she is now managing Zoom and remote meeting participation.

“I think people will find that once they have somebody in that role, there’s kind of a never-ending list of things that will be on their plate,” she said.

Communications directors also develop marketing strategies and the materials that support those strategies, said Tina Radel, Kennebunk’s communications and marketing specialist. These strategies are important to informing the public in the form of public education campaigns, and in attracting visitors, new residents, and businesses to your community.

A drone operator with video production skills, Radel has, for example, created recruitment videos to attract businesses to town and worked with the police department to promote the town’s Slow Down Kennebunk campaign, for which Radel created a series of videos and graphics that were used on signs placed in yards and well-traveled places around town.

When Radel worked in Westbrook as their communications staffer, she was able to respond quickly when word began circulating in the city about an ice disk that had formed in the Presumpscot River. Radel immediately sent a drone over the river to capture video. That video was a viral sensation not just locally, but across the country and even got attention internationally.

“I had people calling me night and day for weeks,” Radel said. The city was able to use the imagery to promote the downtown. It brought people from all over to Westbrook. “That was a big thing. If it wasn’t a city person that captured that, it may not have had that kind of effect for the municipality,” Radel said.

A key reason municipalities are interested in having a communications person on staff is being able to control messaging. “It’s important to be able to deliver your message how you want to deliver your message,” said Meyers, and to take control of your communications, because rumors and secondhand information can take hold quickly and potentially derail projects or cause unnecessary distraction and distrust.

No matter whether you’re communicating internally or with residents, businesses, or tourists, effective communication is imperative to forging trust – a key ingredi-

ent needed in all strong relationships, said Mike Pardue, Wells' town manager. "Communications is the platform to success in everything we do," he said.

Because the town has a communications coordinator, Rebekah Kelley, the town was able to offer support to one of its partners, the local sanitary district, when a recent fire caused the shutdown of one of the district's processing plants.

The sanitary district asked the town office to ask residents to reduce their water usage while it got a solution in place. Kelley was able to get the word out through the town's social media channels immediately, enforcing with the sanitary district that it has a reliable relationship with the town, and ensuring that residents had needed information in a timely manner.

Kelley also monitors the town's social media platforms during select board meetings so she can relay to the board if there are any comments or questions from residents being discussed on the platforms. "We're able to be immediately responsive and (are) able to disseminate accurate information immediately," Pardue said. The results are effective. "If we can provide that accurate, timely information, we really neutralize a lot of false information going out or generated between the two weeks between board meetings."

But having a communications professional on staff doesn't just facilitate effective communication with the public, Pardue pointed out. It also improves communication internally.

For example, Kelley attends department meetings during which department heads report about things happening in their departments. She captures the highlights and shares that information across departments.

The sharing gives everyone a clearer understanding of what is happening in their own department and in other departments, he said, which reduces confusion and makes it easier to identify how departments can be assets to each other, which leads to boosted engagement. As a result, he said, trusting relationships are fostered and there is greater cohesiveness within their team.

### Bringing a communications professional on board

Before municipalities decide to hire a communications professional, they need to accurately and honestly assess how they are currently handling their internal and external communications. This assessment provides insight into what tasks a communications hire would do for the municipality, which will determine what skills and qualities are needed for the role.

In general, a communications professional doesn't necessarily need municipal experience, but does need to be a team player, who can quickly get up to speed on a variety of issues and manage sometimes fast-changing situations, say Grondin and Radel. Social media management skills are a must, and comfort with interacting with members of the media is beneficial.

Grondin says municipal leaders are welcome to contact her (272-7885, [jgrondin@portlandmaine.gov](mailto:jgrondin@portlandmaine.gov)) if they want to talk about what a communications director can do for their community. She also says that an informal group of municipal communications professionals in the state meets regularly for comradeship and to share experiences and know-how. Contact Grondin if you're a municipal communications professional who'd like to be included in the email list for the group. 🏔️



## Michael A. Hodgins

Land Use and Zoning Attorney

Mike represents towns in contract disputes and other general litigation, land use enforcement actions, Rule 80B appeals to Superior Court and he has participated in several appeals to the Law Court. Mike was recently recognized as a Lawyer of the Year by The Best Lawyers in America® for land use and zoning law. Mike has been recognized for his general litigation practice by New England Super Lawyers.

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# Maine Workforce Development Compact

One way to stretch municipal training budgets. A bonus? It's easy.

By Janine Pineo

Here are words that may never have been heard in municipal circles before:

"It's like a fairy tale."

"This is an opportunity like we've never had before."

"It was super easy."

They were uttered, respectively, by Portland's human resources director, Old Town's assistant city manager and Bradley's town manager, all in reference to the Maine Workforce Development Compact, a four-year, \$60 million program to fund employee training for Maine's employers.

It includes municipalities.

How much?

The compact will fund training of up to a \$1,200 match per employee annually through 2025. That means if an employee's training costs \$2,400, the compact will reimburse the municipality \$1,200.

Also unheard of in municipal circles is this: "The sky is the limit. Just ask."

That's Kathy Tombarelli, workforce development specialist at Central Maine Community College in Auburn and one of the Maine Community College System (MCCS) employees who is working with employers using the compact to help pay for employee training.

"It's not arduous," she said of the process to sign up and get started.

And that is the intent, to make training affordable, accessible, targeted to specific needs and simple to navigate.

## What is the compact?

The grant from the Alford Foundation is being handled administratively by MCCS. And while the system has a wide range of customizable programs and classes, the funding is also there for training through other institutions and vendors, called third-party training.

"It is absolutely, 100 percent trained at upscaling Maine's workforce," said Maureen O'Brien, one of four workforce development coordinators for the compact. "It's meant to put the employer in control."

What are some things it can cover? Try registration fees for a conference, webinars, on-site training, off-site training, a college class.

Last year, for the first year of the compact, training was reimbursed at 100 percent. For 2023, 2024 and 2025, employers will be reimbursed at 50 percent, up to \$1,200 per employee for each calendar year.

Who qualifies as an employee? The overview that is sent to potential compact members says this: "For the purposes of this grant, a frontline worker is someone who does the core work of the company or organization. This can include those in supervisory positions if they also perform the tasks of frontline workers (for example, filling in if someone is absent)."



(Photo submitted)

About the Author: Janine Pineo is a freelance writer from Hudson and regular contributor to Maine Town & City, [jepineo@gmail.com](mailto:jepineo@gmail.com).

There are three requirements for trainees to qualify:

Paid employees of the compact member (not elected officials, volunteers, or interns).

At least 18 years old with a high school diploma or equivalent.

Residents of Maine.

Oh, but wait, you say. What about volunteers like volunteer firefighters? Any chance they might qualify?

Yes, is the answer. Volunteer and paid firefighters qualify for compact training funds, according to Charles Collins, MCCA deputy executive director for workforce training. They are considered “frontline” workers.

Who wouldn’t qualify in a municipal setting? Elected officials; board members, either paid or volunteer; or interns.

What won’t the funds cover? Costs such as travel, accommodations, food, or wages for time spent attending training.

One more important note: Funding requests must be submitted before the training start date.

## Sign me up

Perhaps by now you are thinking there must be some catch or the application process must be, in a word, arduous.

The truth is that you likely could have finished filling out the application before you finished reading the first few paragraphs of this story. It’s that easy.

“Literally takes 30 seconds to fill it out,” said Tombarrelli. “You can’t do anything wrong.”

It is also the first requirement in requesting training funds.

“You’re not writing a proposal,” O’Brien said. It’s a funding request, not a grant proposal.

### Here’s what you need in this two-step process:

Join the Compact by filling out this simple form here: [https://mymccs.me.edu/ICS/HAF/HAF\\_Compact\\_Member\\_Application.jnz](https://mymccs.me.edu/ICS/HAF/HAF_Compact_Member_Application.jnz).

Once the form is submitted, you will receive a Memorandum of Agreement (MOA). Sign and return. When the MOA is processed and accepted, you will be able to apply for funding.

What’s required on the form? Name, type of organization, description of organization, business address and business point of contact.

That’s it.

That’s really it.



Portland’s fire academy trained new hires using funds from the Maine Workforce Development Compact.

But wait, you say, requesting the funding for training must be hard.

### Here’s what you need to complete your funding request:

Vendor name, address, phone number, email address and website.

Program title.

Course description.

Number of hours.

Start/end date.

Number of employees to be trained.

Retail price per frontline worker.

Total funding request.

Excel spreadsheet of employees’ names, titles, and emails.

Once that is submitted, an email will be sent when the request is approved and will include the information about the next steps needed to access the funds.

There are ready and willing workforce development experts at every MCCA campus and throughout the system who are eager to talk with municipalities. Questions? Call them. Need customized training? Call them.

“We’re in the customer service business here,” O’Brien said. “We really want to talk to people. Every company in Maine could be taking advantage of this.”

Sometimes people aren’t even sure what they are looking for, she said. “Reach out to us.”

## Using the compact

About 65 municipalities in about half of the state's counties received training through the compact, O'Brien said. She pointed at Portland as an example. "They started kind of small and tiptoed in," she said.

But the city quickly expanded, to the tune of about \$75,000 in reimbursement funds, said Anne Torregrossa, Portland's human resources director.

"It's so flexible," she said. "It's so over-the-top generous."

Torregrossa said that historically, the city has sent supervisors to Southern Maine Community College for training. When she heard of this opportunity with the compact funds, she put out word to department heads and met with them a couple of times.

The city has 1,300 regular employees, she said, which rises to about 1,800 if on-call and per diem employees are included.

And the times have changed in the job market, which has led Portland to re-examine its hiring guidelines. Torregrossa gave as an example the city's 100-plus jobs that require the employee to have a commercial driver's license. Most of the new hires, she said, do not have CDL training now, and that the city has gone to the extent of adding a position to teach this.

Another example was the fire department EMTs. Previously, she said, the department would only hire advanced EMTs but will now hire basic EMTs and get them the training they need.

It's also impossible to hire trade people for things such as HVAC, she said. "Private sector is paying so much more and we can't keep up."

Portland runs its own fire academy to train new hires and had 12 or 13 new employees who needed training. Torregrossa said she called O'Brien, talked it through with her that it was an internal fire academy taught with their own staff. She said O'Brien had her take the expenses and divide by the number of students to determine the expense per student.

The compact paid more than \$16,000 for that single fire academy, Torregrossa said.

About 60 employees recently attended customer service training, she said. There has been use of the funds for continuing education, including a couple of employees enrolled at the Muskie School of Public Service. Other training covered has been paramedic school, conferences, some Maine Municipal Association courses, management and leadership classes, online IT classes, and safety and rescue training for the arborist and arbor crew.

"This can be used for training you're already going to do," Torregrossa said.

Bradley Town Manager Melissa Doane used the compact for a new staff member who expressed interest in becoming the town clerk, with the employee taking several classes.

This year, she said, they are waiting for the MMA training calendar to be released, and the intention is to do more training using the compact funds. "I did it. Anybody can do it," she said.

*(Photo submitted)*

Travis Roy, Old Town's assistant city manager, said the city has been reimbursed for more than \$17,000 in training. With 94 employees, he estimates that at least 60 have participated in training using compact funds.

"I've never seen something like this," he said, adding that he's been in municipal government for 31 years.

The city didn't have to choose what or who to train, Roy said, and it takes stress off the budget.

"Municipal dollars are always short," Torregrossa said.

Both of them talked about the difference in expectations of younger hires, particularly in personal and professional development, with Torregrossa saying that a municipality needs to invest in employees.

Those employees want safety, personal growth, and professional growth in their jobs. "This money was amazing for retention," she said.

In her position, she can watch some of the trends and thinks the days of having 30-year employees are gone. "You have to have the infrastructure to bring in new employees," Torregrossa said. "Training is a huge part of it."

### The fine print

Ah, here it is, you think. The catch.

O'Brien pointed out this feature of the compact:

"Compact member employees are eligible for up to two \$212 scholarships per semester for 3-credit classes offered by the community colleges. Scholarship funding requests are submitted by the employee. Classes do not have to be directly related to their job."

Torregrossa has employees taking advantage of this bonus, with classes not even related to their position.

"This is what it seems to be," Roy said. "This is an opportunity like we've never had before." 🏔️

## Meeting Municipal Training & Education Needs: A Series.

The future of Maine's municipal workforce represents a set of multi-faceted challenges that command multi-faceted solutions. Maine's towns and cities are collectively grappling with the ongoing pandemic, effects of inflation, and demographic changes in the state, which present questions around recruiting and retaining employees and educating and training their incumbent workforce for the changing nature of municipal government. Through it all, MMA members are exploring and embracing innovative strategies and resources for workforce development. In 2023, the Association will highlight these efforts, as well as new initiatives in development and currently in use by members, partners, and MMA to meet workforce development needs through the publication of a five-part series. This first edition features the training opportunities available via the Maine Workforce Development Compact.

## Who to contact

Interested in learning more about the Maine Workforce Development Compact and training for your employees? The four workforce development coordinators are:

**Edward Wright**  
(207) 287-0231  
[ewright@mccs.me.edu](mailto:ewright@mccs.me.edu)

Northern Maine Community College  
(Serving Aroostook County)  
Eastern Maine Community College  
(Serving Hancock, Penobscot, Piscataquis, and Waldo Counties)  
Washington County Community College  
(Serving Washington County)

**Thea Day**  
[tday@mccs.me.edu](mailto:tday@mccs.me.edu)  
(207) 287-0283

Kennebec Valley Community College  
(Serving Kennebec, Knox, and Somerset Counties)  
Central Maine Community College  
(Serving Androscoggin, Franklin, Lincoln, and Oxford Counties)

**Maureen O'Brien**  
(207) 287-0232  
[mobrien@mccs.me.edu](mailto:mobrien@mccs.me.edu)

Southern Maine Community College  
(Serving Cumberland and Sagadahoc Counties)

**Kristen Wiegand**  
(207) 287-0230  
[kwiegand@mccs.me.edu](mailto:kwiegand@mccs.me.edu)

York County Community College  
(Serving York County)

# MMA Now Seeking Nominations for Education & Training Advisory Council!

The Maine Municipal Association is seeking nominees for its inaugural Education and Training Advisory Council. The formation of this council was one of the major recommendations in the Municipal Curriculum Inventory and Training Gap Analysis conducted by MMA and BerryDunn in 2020 and 2021.

The advisory council's purpose is to support and advise MMA on the development and oversight of the municipal educational and training needs across Maine, as well as foster collaboration and partnerships specific to education and training among MMA affiliate groups, municipalities, educational institutions, and training providers.

An interim group of municipal elected and appointed officials, employees, regional organizations, and education and training partners worked over a period of six months to envision a structure, set of core functions, and focus areas for the advisory council. For 2023-2024, the council will focus on the: 1) development of a municipal management and leadership training program; 2) design of a municipal training portal; and 3) creation of a strategy for how MMA can best support and promote municipal workforce development and recruitment.

The council is seeking nominees to serve a one- or two-year term, which will begin on July 1, 2023. While all appointed and elected municipal officials and employees from member communities are eligible to serve, we are of specific need of representation from:

- Elected municipal officers.
- Municipal front-line supervisors.
- Municipal early-career officials with five years or less of municipal experience.
- Town or city managers or administrators.
- Municipal human resources professionals.

The deadline for submitting nominations is 5 p.m. on April 14, 2023. If you have questions or would like to learn more about the council, please review the full call for nominations on the MMA website: <https://www.memun.org/Articles/Article-View/ArticleId/22162/MMA-Now-Seeking-Nominations-for-Education-and-Training-Advisory-Council#.ZAoOxHbMluU> or contact Peter Osborne, MMA Director of Educational Services, at [posborne@memun.org](mailto:posborne@memun.org). 🏔️

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## Technology & Innovation Conference

Friday, June 23  
Wells Conference Center  
Orono, Maine

## MMA Annual Convention

Wed/Thur, October 4 & 5  
Augusta Civic Center  
Augusta, Maine

*more details to come...*

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# Code enforcement complex, complicated

By Liz Mockler

Bath Code Enforcement Officer Scott Davis said helping people get things right, and doing it nicely, is a hallmark of good enforcement.

“I try to practice what I call “The Three Ps,” which is to be polite, pleasant and professional to everyone I deal with, even when they’re not behaving similarly,” Davis said.

But the scope and depth of the work is often too complicated and time consuming for a regular workweek, Davis said. Snow days and weekend days help him keep up with the sheer volume of work.

In a recent email exchange, Davis talked about the rewards and challenges of his job, which he has performed for 37 years in Bath.



Scott Davis

## Q Why did you choose code enforcement?

A I became a codes enforcement officer by happenstance, which is not uncommon. Most children don’t know what a codes officer is. Many adults don’t. It’s not something you aspire to be when you grow up. I was working out of state as a field engineer for an industrial insurance company in the 1980s, inspecting and testing fire protection equipment at industrial properties.

I wanted to get back to Maine and, in 1985 Bath was looking for a city fire inspector/assistant codes enforcement officer. I applied and they hired me. The codes staff at the time was the codes officer and me.

In 1990, the city lost a property tax battle with the shipyard (Bath Iron Works) and a lot of budgetary belt-tightening was being done to pay them a large settlement. The tightening included eliminating my position.

As I was dusting off my resume, the codes officer left his position, and I filled it. Between then and last December, I was the sole codes officer. In December, we added an assistant codes officer to the staff.

## Q What is your approach or philosophy as a CEO?

A My philosophy is that we’re here to help people do it right, whether it’s answering questions, issuing permits,

doing inspections, or causing violations to be corrected. We wield statutory authority on behalf of the citizens of the community, and it’s important to wield that accurately, fairly, and professionally.

## Q What duties are required of a CEO in Bath?

A I’m the building inspector, plumbing inspector, electrical inspector, mechanical inspector, zoning administrator, health officer and city ADA coordinator. I’m staff support to the zoning board and Sidewalk Vending Committee. I administer the sign code, the blasting ordinance, the refuse ordinance, and assorted other city ordinances. The assistant codes officer is in the process of becoming trained and certified to do everything I do.

## Q What is your biggest concern about enforcing codes in Bath?

A My biggest concern is what most codes officers’ biggest concern is – to do the job properly and well. With many of the codes we deal with, mistakes can cause someone to get hurt or killed. Most of us wear a lot of hats, and the problem with wearing a lot of hats is that they don’t fit as well as if you just wear one. I don’t know if a court would hold a municipality with a small codes staff to the same standard as one with a large codes staff. I hope to never find out.

About the Author: Liz Mockler is a freelance writer from Caribou and regular contributor to Maine Town & City, [lizmockler@hotmail.com](mailto:lizmockler@hotmail.com).



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retrofits-cip-fon-009-2022/](http://efficiencymaine.com/school-retrofits-cip-fon-009-2022/)



### **Q What is the most challenging aspect of your work?**

The most challenging aspect of the job is the quantity and complexity of the codes and laws we have to enforce. In the old days, a town only had a building code if it adopted it locally, and that code was updated when the codes officer decided to do it. (Bath has had a building code for many years.)

Around 2007, the state enacted The Maine Uniform Building and Energy Code (MUBEC), which is a suite of codes, in effect statewide, that includes two building codes, an energy code, an existing buildings code, a mechanical code, several ventilation standards, and a radon standard.

The MUBEC codes are updated every six years. The State also has a plumbing code, an electrical code, a septic system code, heating codes, environmental codes, manufactured housing codes, health codes, food service codes, and a plethora of fire protection codes, all of which are updated periodically, and some of the codes conflict with each other (but projects have to meet them all). Toss in the state laws on subdivisions, junkyards, marijuana businesses, affordable housing, etc., and you quickly learn that to be a good codes officer, you have to know how to look stuff up.

It's complicated, time consuming, and a constant challenge.

### **Q What is a problem you encounter frequently? How do you resolve it?**

The biggest/most frequent problem is that there's more to do than time to do it. Answering someone's "quick question" sometimes takes a fair amount of time and research. Plan reviews can eat up a big part of a day. I can't be as responsive to inquires or proactive with tasks as I'd like to be, which our customers deserve.

I resolve it by going in on snow days and weekends to do the stuff that won't fit in the workweek. Having the assistant codes officer will help a lot once he's up to speed. He's already lightening part of the load. He's a licensed electrician, and has taken over the electrical inspections, which is a huge help. I really appreciate our manager suggesting and the city council funding his position.

### **Q In general, are there any changes you would recommend to the CEO job?**

No. The job is what it is, and I can't think of any way to change it. We'll always have codes, and we'll always need codes officers. I encourage codes officers to advocate for what they need to do the job properly, and municipalities to support their codes officers.

### **Q Does anything still surprise you after 37 years?**

No. (But) whenever you think you've seen it all, something comes along to remind you that you haven't.

### **Q Do you have a funny or poignant story to share?**

A gent in town opened an ice cream shop in a strip mall some years back. The sign code didn't allow a freestanding sign out by the road, like he wanted, so he put a big A frame ice cream sign in the back of a pickup truck and parked it in front of the shop. It was there day and night. Our sign code prohibits this as well. I cited him for violating the code and directed him to cease the practice by a given date.

He didn't.

He contended that he drove the truck home every night, and that made it such that he wasn't violating the code (which was incorrect, but he was entitled to his opinion). I told him I was turning the matter over to the city attorney for prosecution. I decided to document the fact that the truck was stationary.

The truck was old enough that it had a mechanical odometer, so I wrote down the odometer reading. It didn't change day to day. I figured he'd claim that the odometer was broken, so I put a rock a little smaller than my fist on top of the right rear tire, and every morning when I drove by the truck on the way into work, before the store opened, it was there.

I ran into the gent in the city hall parking lot one day a couple of weeks later. I told him that the odometer on the truck hadn't changed in a couple of weeks, and that we'd be making the court aware of that in our complaint. He said the odometer was broken. I told him that I put a rock on top of the right rear tire about two weeks (prior), and every morning when I come in to work the rock has been there. He said, "OK. You got me. I'll get rid of the sign."

In this day and age of computers and cellphones and satellite aerial photography and electronic distance measuring devices – I got him with a rock. 🪨



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# MAINE MUNICIPAL ASSOCIATION NOTICE

## Seeking Nominations for MMA Executive Committee

### Nominations

Nominations are being accepted for three seats on the MMA Executive Committee. The Vice President position is also open to municipal officials who have served at least 12 consecutive months on the MMA Executive Committee during the past five years. The Nominating Committee will interview candidates for the Vice President position and selected candidates for the Executive Committee positions during the 3<sup>rd</sup> meeting in May.

### What Is Involved?

The Executive Committee is the Maine Municipal Association's corporate board, consisting of twelve elected and appointed municipal officials representing the interests of member municipalities throughout the state. The Committee has overall governance and fiduciary responsibility for the Association, its annual operating budget, and the development of policy and priority initiatives. The Executive Committee meets 10-12 times per year and has a required attendance policy in place. The Association reimburses municipal officials or their municipality for travel related expenses incurred for attending meetings or authorized activities to represent the Association's interests.

### Who Should Apply?

- Town and/or city managers or chief appointed administrative officials in an active member municipality; or
- Municipal officers (*mayor and aldermen or councilors of a city, the selectpersons or councilors of a town, and the assessors of a plantation*)

### What are the Qualifications?

- The ability to serve a three year-term;
- Basic knowledge and interest in corporate operations of the Maine Municipal Association;
- Although not necessary, it would be helpful to have prior experience on other governing boards/committees and/or involvement in the MaineMunicipalAssociation.

### Timetable

<b>Monday, March 27, 2023</b> 9:00 a.m.	<b>1<sup>st</sup> Meeting of Nominating Committee</b> – <i>Review of Nominating Committee Process</i>
<b>March 27, 2023</b>	<b>1<sup>st</sup> Electronic Mailing to Municipal Officials</b> – <i>Seeking Interested Candidates</i>
<b>March - April 2023</b>	<b>Notice on MMA Website, <i>Maine Town &amp; City</i> and e-newsletter <i>MMA This Month</i></b>
<b>Friday, April 28, 2023</b> 12:00 noon	<b>Deadline for Receipt of Statements of Interest for Vice President and Executive Committee positions</b>
<b>Tuesday, May 2, 2023</b> 2:00 p.m.	<b>2<sup>nd</sup> Meeting of Nominating Committee</b> – <i>Review Statements of Interest and preparation for Interviews</i>
<b>Wednesday, May 10, 2023</b> 9:00 a.m.	<b>Final Meeting of Nominating Committee</b> – <i>Interviews with candidates and put forth Proposed Slate of Nominations</i>
<b>May 26, 2023</b>	<b>2<sup>nd</sup> Mailing to Key Municipal Officials</b> – <i>Proposed Slate of Nominations and information on Petition Process</i>
<b>Friday, July 7, 2023</b> 4:30 p.m.	<b>Deadline for Receipt of Nominations by Petition Forms</b>
<b>July 14, 2023</b>	<b>3<sup>rd</sup> Mailing to Key Municipal Officials</b> – <i>MMA Voting Ballot for Election of VP and Executive Committee</i>
<b>Friday, August 18, 2023</b> 12:00 noon	<b>Deadline for Receipt of MMA Voting Ballots</b>
<b>August 18, 2023</b>	<b>MMA Election Day</b> – <i>MMA President oversees counting of MMA Voting Ballots</i>

### **For Further Information:**

Please visit the MMA Website at [www.memun.org](http://www.memun.org) for additional information on the MMA Nominating Committee process, timetable, overview of Executive Committee responsibilities and access to the Statement of Interest Forms. Contact Theresa Chavarie at 1-800-452-8786 ext. 2211 or by e-mail at [tchavarie@memun.org](mailto:tchavarie@memun.org) if you have any questions.



**STATEMENT OF INTEREST FORM  
SERVICE ON THE MMA EXECUTIVE COMMITTEE**

**Deadline for Receipt — 12:00 p.m. on Friday, April 28, 2023**

Name of Candidate: \_\_\_\_\_

Municipal Position: \_\_\_\_\_ Years in Position: \_\_\_\_\_

Municipality: \_\_\_\_\_ County: \_\_\_\_\_

Preferred Mailing Address: \_\_\_\_\_

Work or Office Phone \_\_\_\_\_ Home Phone: \_\_\_\_\_

Mobile/Cell Phone \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Previous involvement with the Maine Municipal Association** — Please provide info on your past involvement on MMA Governance Boards, Legislative Policy Committee, Ad Hoc Committees, Convention and Workshop Speakers/Panelists, etc. (provide dates of service, if available):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Other information not included on your resume** — other activities of interest, awards, etc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**What attributes do you believe you will bring to the Maine Municipal Association?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The MMA Executive Committee has an Attendance Policy that requires a member to miss no more than three meetings per year. Based on this, do you believe the time commitment meets your availability? YES / NO**

**Please provide a Municipal Reference that we may contact:**

\_\_\_\_\_  
Name Municipal Position Telephone #

***Please include your cover letter, updated resume and up to five letter(s) of support.***

*I attest that the information contained above and in the attachments is true and accurate to be best of my knowledge.*

\_\_\_\_\_  
Signed:

\_\_\_\_\_  
Date:

**Return to:** MMA Nominating Committee c/o Executive Office  
Maine Municipal Association, 60 Community Drive, Augusta, Maine 04330

FAX: (207) 626-3358  
E-mail: [tchavarie@memun.org](mailto:tchavarie@memun.org)



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# TRAINING CALENDAR

Maine Municipal Association & Affiliates

## MARCH

3/22	Wed.	MFCA Annual Membership Meeting	Newry - Sunday River Ski Resort	MFCA
3/23-24	Thurs.-Fri.	MFCA Professional Development Conference	Newry - Sunday River Ski Resort	MFCA
3/24	Fri.	MTCMA 43rd Annual Statewide Manager Interchange	Bangor - Hilton Garden Inn	MTCMA
3/28-29	Tues.-Wed.	MTCCA Vital Records	Day 1: Waterville (full day) Waterville Elks & Banquet Center Day 2: Zoom Webinar (half day)	MTCCA
3/29	Wed.	Developing Solutions on Hotly Contested Issues	South Portland - DoubleTree by Hilton	MMA
3/30	Thurs.	MMTCTA Preparing for an Audit	Augusta - MMA	MMTCTA

## APRIL

4/4	Tues.	Diversity, Equity, and Inclusion Immersion Workshop	Augusta - MMA	MMA
4/6	Thurs.	Mental Health First Aid	Augusta - MMA	MMA
4/6	Thurs.	MCAPWA Annual Spring Meeting	Augusta Civic Center	MCAPWA
4/11	Tues.	MMTCTA Tax Liens Workshop	Augusta - MMA	MMTCTA
4/14	Fri.	MACA Spring Training	Augusta - MMA with Zoom Webinar	MACA
4/19	Wed.	MMTCTA Basic Excise Workshop	Augusta - MMA	MMTCTA
4/19-20	Wed.-Thurs.	MTCCA New Clerks Workshop	Day 1: Zoom Webinar (full day) Day 2: Zoom Webinar (half day)	MTCCA
4/21	Fri.	MAAO Northern Maine Spring Training	Zoom webinar & Caribou - Northern Maine Development Commission	MAAO
4/24-25	Mon.-Tues.	MCAPWA Supervisory Leadership in Public Works Program - Part I	Fairfield - MDOT Training Center	MCAPWA
4/24-25	Mon.-Tues.	MWDA Spring Training Seminar	Bangor - Hilton Garden Inn	MWDA
4/26	Wed.	Elected Officials Workshop	Kittery - Kittery Community Center	MMA
4/27	Thurs.	MTCCA NAMI De-Escalation Training Workshop	Waterville - Waterville Elks & Banquet Center	MTCCA
4/28	Fri.	Basic Municipal Budgeting	Augusta - MMA with Zoom Webinar	MMA

## MAY

5/3	Wed.	Personnel Practices	Augusta - MMA with Zoom Webinar	MMA
5/10	Wed.	MAAO Board of Assessment Review	Augusta - MMA with Zoom Webinar	MAAO
5/11-12	Thurs.-Fri.	Verbal Judo for the Contact Professional - 2 DAY PROGRAM	Augusta - MMA	MMA
5/16-18	Tues.-Thurs.	MCAPWA Supervisory Leadership in Public Works Program - Part II	Fairfield - MDOT Training Center	MCAPWA
5/18	Thurs.	MMTCTA Annual Conference	Bangor - Hilton Garden Inn	MMTCTA
5/22	Mon.	Customer Service Excellence	Augusta - MMA	MMA
5/22-23	Mon.-Tue.	MBOIA 14th Annual Maine Code Conference	Carrabassett Valley - Sugarloaf Mountain	MBOIA
5/31-6/1	Wed-Thurs.	MTCCA Athenian Dialogue: Finding Me	Zoom Meeting	MTCCA

## JUNE

6/1	Thurs.	MCAPWA Highway Congress	Skowhegan - Skowhegan Fair Grounds	MCAPWA
6/7	Wed.	Planning Board/Boards of Appeal	Lewiston - The Green Ladle	MMA
6/15	Thurs.	MMTCTA Cash Management	Augusta - MMA	MMTCTA
6/21	Wed.	New Managers Workshop	Orono - University of Maine	MMA
6/22	Thurs.	MEGFOA Summer Training Workshop	Freeport - Hilton Garden Inn	MEGFOA
<b>6/22</b>	<b>Thurs.</b>	<b>Municipal Human Resources &amp; Management Conference</b>	<b>Orono - University of Maine</b>	<b>MMA</b>
<b>6/23</b>	<b>Fri.</b>	<b>Municipal Technology &amp; Innovation Conference</b>	<b>Orono - University of Maine</b>	<b>MMA</b>
6/28	Wed.	MTCCA Notary Public	Zoom Webinar	MTCCA
6/29	Thurs.	MFCA Membership Meeting & Networking	Bar Harbor - Harborside Hotel & Marina	MFCA

## JULY

7/12	Wed.	MTCCA Licensing Workshop	Augusta - MMA	MTCCA
7/13	Thurs.	MBOIA July Membership Meeting & Training	Augusta - MMA	MBOIA
7/18	Tues.	MMTCTA I've Got The Job - Now What? Workshop	Augusta - MMA	MMTCTA
7/26	Wed.	MTCCA Municipal Law for Clerks	Augusta - MMA with Zoom Webinar	MTCCA

## AUGUST

8/9-11	Wed.-Fri.	MTCMA 77th New England Management Institute	Carrabassett Valley - Sugarloaf Mountain	MTCMA
8/15	Tues.	Planning Board/Boards of Appeal	Presque Isle - The Northeastland Hotel	MMA
8/16-17	Wed.-Thurs.	MTCCA New Clerks Workshop	Day 1: Augusta - MMA (full day) Day 2: Zoom Webinar (half day)	MTCCA
8/17-18	Thur.-Fri.	MMTCTA Governmental Accounting	Orono - Black Bear Inn	MMTCTA

## SEPTEMBER

Sept. TBD	Fri.	MCAPWA Golf Tournament	Cumberland - Val Halla	MCAPWA
9/6	Wed.	Elected Officials Workshop	Bar Harbor - Atlantic Oceanside Hotel	MMA
9/7	Thurs.	MMTCTA Payroll Law	Waterville - Elk's Lodge	MMTCTA
9/10-13	Sun.-Wed.	NEGFOA 76th Annual Fall Conference	Rockport - Samoset Resort	MEGFOA
9/12	Tues.	MTCCA 28th Networking Day & Annual Business Meeting	Augusta Civic Center	MTCCA
9/14	Thurs.	Verbal Judo for the Contact Professional - 1 DAY	Bangor - Hilton Garden Inn	MMA
9/19	Tues.	Mental Health First Aid	Zoom Webinar	MMA
9/21	Thurs.	MBOIA September Membership Meeting & Training	Portland - Clarion Inn	MBOIA
9/22	Fri.	MWDA GA Basics	Augusta - MMA	MWDA
9/27-9/29	Wed.-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO



Heather Balsler

**Heather Balsler** has been named Kennebunk town manager. She took office on February 6. She lived in Colorado for years before coming home to Maine. There were five candidate finalists; she was hired by unanimous vote. A Portland native who grew up in Kennebunk, Balsler has worked in municipal affairs for more than 24 years, mostly entirely for the City of Louisville, Colorado. She was first hired as assistant manager then promoted to deputy city manager and then manager. City officials describe Balsler as a “breath of fresh air” who is warm but no-nonsense. She replaces **Michael Pardue**, who took the manager’s job in Wells, replacing **Larissa Crockett**.

Biddeford Police Chief **Roger Beaupre** retired in January after more than 50 years with the department. Except for working as a security officer in the U.S. Air Force, Beaupre worked his entire career for the city. A Biddeford native, Beaupre was appointed chief in 1980. He said achieving national accreditation in 2018 was among his proudest accomplishments.



Roger Beaupre

Meanwhile, Biddeford City Councilor **Amy Clearwater** resigned her ward seat in mid-January because of a work conflict. She first joined the city council when she was

appointed to fill a vacancy in October 2019. Later that year she won election to a full term and was reelected last year. Mayor **Alan Casavant** will appoint a person to fill out the term until the next biennial election in 2024, as authorized under the city charter.



Jasmine Cyr

**Jasmine Cyr**, recently promoted to captain for the Houlton Police Department, became the first woman to hold the second-in-command position. Cyr, 33, was first hired in 2014 as a 911 dispatcher and then tapped two years later for a patrol officer’s job. She was promoted to detective nearly three years ago. Police Chief Timothy DeLuca said he was proud to name Cyr his deputy. “She is very worthy,” he said in a press statement.

Former Whitefield Selectman **Anthony “Tony” Marple** died January 24 at the age of 75 after a short fight with ALS. A Norwalk, Conn. native, Marple moved to Maine in 1984 and became a respected climate change activist, a passion he retained until his death. Marple served as selectman from 2013 to 2019 and also served on the school committee and planning board.

**Scott MacMaster** has decided to give up his Hallowell police chief’s job to return to the Gardiner Police Department as a patrol officer. He cited personal reasons; his last day was January 24. MacMaster served as Hallowell police chief for three years.

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Diane Polky

After 24 years and nine city managers, Hallowell City Clerk **Diane Polky** retired on February 28. A New Jersey native, Polky spent childhood summers on Mount Desert Island and moved to Maine in 1982. She was hired as Hallowell deputy city clerk in 1999 and promoted to clerk in 2016. Her work philosophy was

that anyone asking any question, big or small, deserved an answer. Among many other reasons, Polky will be missed for her knowledge of the city and its procedures and residents.

South Bristol Select Board member **Chester Rice** will not seek re-election this spring after serving on the board for 26 years. In addition to the select board, Rice has been a community booster for 60 years. Rice's public service career included volunteering for the town fire department, the school board, and multiple other efforts. He served in the Legislature from 1994 to 1996. During his long service to the town, the board saw the completion of the municipal parking lot, the boat ramp in Damariscotta, and extension of the town's commercial district. Rice, a U.S. Army veteran, and the board also watched an increase in the coastal town's summer population and a recent swelling of construction of multi-million homes on the waterfront.

**Kevin Sutherland** resigned last month as Bar Harbor town manager, saying he needed to find a better balance between family and work. It was immediate. Sutherland was hired in November 2021 under a three-year contract. He is a former Saco city administrator and chief of staff for the City of Ithaca, NY. He was the only finalist for the job. **Sarah Gilbert**, who has worked for Bar Harbor since 2005 and named finance director in 2021, has been named interim manager.



James Wilson

South Portland Fire Chief **James Wilson** has been hired by Texas Instruments as a fire specialist. His last day working for the department was February 3. Wilson said the move was "bittersweet," but the time was right. He has worked for the department for 26 years, as well

as serving as a volunteer firefighter in Cape Elizabeth. He conducted marine rescue training courses in Scarborough, as well. Wilson will work at the Texas company's South Portland facility. 🏔️

## Call for Contributions!

Interested in having your community featured in the News or People segments of the *Maine Town & City*? Is your municipality hosting an annual festival celebrating a favorite crustacean, sweet treat, notorious beverage, or historically significant event? Are new businesses relocating to your downtowns?

If so, MMA wants to help share your successes with municipal officials across the state. Please submit descriptions and photos of your events, promotions and festivities to **Sue Bourdon** ([sbourdon@memun.org](mailto:sbourdon@memun.org)) or **Kate Dufour** ([kdufour@memun.org](mailto:kdufour@memun.org)).

Submissions will be published in a time sensitive and as space allows format. Narratives and descriptions should be no more than 150 words, and photos must be 5 x 7 in size.

Depending on the response, we may expand the selection of regular features published in the magazine.

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# IN THE NEWS

## STATEWIDE

Thirty-one municipalities across nine counties will share \$34 million in broadband funding to expand service to a total of 16,000 homes and businesses. The “Connect the Ready” grants are the biggest broadband investment to date in Maine. One of the 12 projects funded by the Maine Connectivity Authority will invest \$8.1 million in broadband expansion over the next 18 months to seven municipalities and four unorganized territories in southern Aroostook County, northern Washington County, and remote parts of eastern Penobscot County. The authority expects to issue a new round of grants this spring.

## BRUNSWICK

The town’s new \$13 million Central Fire Station at Town Hall Place has opened, the first new fire house in 103 years. The 26,000-square-foot facility will afford the department’s 40-person squad major safety and comfort upgrades that should take the department deep into the 21<sup>st</sup> Century.

## ELLSWORTH

A new report by AirDNA ranks Ellsworth eighth nationwide as a best place to invest in an Airbnb or VRBO vacation rental. The tourism draw of nearby Mount Desert Island and Acadia National Park weighed heavily in the rankings. Ellsworth, population 7,900, recorded 471 active short-term rentals in the last quarter of 2022, up from 408 during the same period in 2021. Presently, there are 233 active listings, most of which are entire homes. The overall investor score was 84.7.

## FREEPORT

Global retail giant L.L. Bean will spend \$50 million to renovate and expand its flagship store and retail campus – the second most visited tourist destination in Maine behind only Acadia National Park on Mount Desert Island. The goals of the expansion include building on the company’s customer service brand; creating an entrance that will be more inviting and easier to identify, with pedestrians in mind; improving access to the Bean campus; expanding Discovery Park and enhancing infrastructure to better connect with Main Street.

## PEMBROKE

Residents voted in a special town meeting last month to impose a six-month moratorium on new, non-residential development. The move is in reaction to a single resident who has bought 12 properties encompassing hundreds of acres in the town of 800. The vote was 66 to 8. The moratorium states that new development could jeopardize the quality of life in town, effect property values and pose risks to the health and safety of the community. The temporary ban on development will afford town officials up to 180 days to draft and adopt planning ordinances to regulate new development in the Washington County town.

## PERU

A fire last month at the town garage caused between \$1.3 million and \$1.5 million in damages. No injuries were reported. Only one backhoe was untouched by the blaze, which was reported just after midnight. Snowplows and other town tools and equipment were destroyed. The

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town hopes to borrow equipment from nearby municipalities until a new garage is built and new/used trucks and plows can be restocked. The state fire marshal's office is investigating.

### PRESQUE ISLE

A 2019 agreement will take effect this summer when the City of Presque Isle's landfill reaches capacity, and the Star City joins its neighbors in further regionalizing the Tri Community Landfill in Fort Fairfield. The landfill also serves Caribou and Limestone. Under the 2019 agreement, Presque Isle joined Aroostook Waste Solutions, which runs the Tri Community Landfill. Part of the pact called for the Presque Isle Landfill to be closed this summer. Commercial trash haulers will increase their monthly fee for Presque Isle customers by \$8, to \$45 a month. Presque Isle residents who have permits for 2023 to bring their trash to the landfill will still be allowed to do so. The Tri Community Landfill is expected to remain open for the next 20 years. This year, the landfill will be expanded by two cells, each of which are six to eight acres in size, for a total of eight cells. The expansion cost is pegged at \$5 million.

### SEARSPORT

The town has trained a Community Emergency Response Team (CERT) to respond to accidents and other emergencies to help first responders at the scene. The CERT program is overseen by the Federal Emergency Management Department and trains civilian volunteers to assist public safety departments. Searsport is the only municipality with an active CERT. The town's public safety officials hope the hyper local focus of the team will serve as a model for the rest of Maine.

### SKOWHEGAN

An estimated \$650 million will be invested in the town of 8,600 over the next three years, including a major expansion of the New Balance footwear manufacturing facility. Sappi will also make a \$418 million investment to upgrade its paper mill to boost specialty papers and increase the production of packing. Another project, the proposed Skowhegan River Park, will infuse another \$12 million into the mill town. The growth will give residents more job opportunities and a chance to help shape the future of the Somerset County town, officials said. 🏔️

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## ARPA REPORTING DEADLINE APPROACHING

Reminder: **April 30, 2023** is the deadline for most Maine communities to file an annual Project and Expenditure report with the U.S. Department of Treasury summarizing their expenditures of American Rescue Plan Act State and Local Fiscal Recovery Funds (“ARPA” funds).

The annual reporting requirement applies to Non-Entitlement municipalities (all Maine municipalities except Auburn, Bangor, Biddeford, Lewiston, Portland, and South Portland) and Maine Metropolitan Cities that received less than \$10 million in ARPA funds. The annual report will cover ARPA expenditures from the award date through March 31, 2023. Annual reporting will be required by April 30<sup>th</sup> of each year through 2027.

Reports must be filed electronically using U.S. Treasury’s online portal. Recipients should visit Treasury’s reporting webpage for extensive information on the reporting process – including an updated 2023 *Project & Expenditure Report User Guide* containing step-by-step instructions, along with webinars, guides, and self-service resources.

Treasury has also re-opened its helpline and contact centers to provide live assistance to grantees. Questions may be submitted by calling (844) 529-9527 or by emailing [SLFRP@treasury.gov](mailto:SLFRP@treasury.gov).

To access links to U.S. Treasury’s regulations, the reporting portal, reporting resources and MMA Legal Services guidance on ARPA, visit our American Rescue Plan Act Information Packet, available at no charge to members on MMA’s website ([www.memun.org](http://www.memun.org)). (By S.F.P.)

## NO ABSENTEE OR REMOTE VOTING AT ‘OPEN’ TOWN MEETINGS

**Question:** We have a town meeting coming up, but some voters will be unable to attend. They have asked if they can vote absentee or via remote means, such as Zoom. Can they?

**Answer:** No. State law governs the conduct of tradi-

tional “open” town meetings, and it does not authorize absentee ballots, absentee, or proxy voting at open town meetings.

Nor does state law authorize any form of “remote” voting at an open town meeting. Although state law authorizes remote participation at municipal *board* meetings, town meetings are expressly excluded from the statute’s remote meeting authorization. 1 M.R.S. § 403-B(3).

The bottom-line: Only qualified voters who are physically present at an open town meeting at the time a particular vote is called for may vote on that matter.

For more on conduct of town meetings, see MMA Legal Services’ *Town Meeting & Elections Manual*, available free of charge to members at on MMA’s website ([www.memun.org](http://www.memun.org)). (By S.F.P.)

## FOAA TRAINING VS FOAA COVERAGE

**Question:** Maine’s Freedom of Access Act (FOAA) requires training for some municipal officials, but not others. Does that mean that FOAA’s public meeting rules only apply to meetings of officials who are subject to the training requirement?

**Answer:** No. FOAA’s training requirements apply to officials and members of standing committees who the Legislature believes encounter FOAA regularly. The training requirements have absolutely no bearing on whether a particular meeting is subject to FOAA’s public meeting requirements.

Maine’s FOAA applies to all “public proceedings,” broadly defined to mean the transaction of any function by a public body or agency affecting any or all citizens of the State. 1 M.R.S. § 402(2). On the municipal level, this includes regular and special meetings of virtually all municipal boards, committees, panels, commissions, and subcommittees, and includes work sessions, workshops, strategy meetings, and any other informal meeting of a municipal board or committee, where board business is discussed, even if no decisions will be made or no formal

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action will be taken at the meeting.

Municipal committee members not subject to the training requirement (e.g., boards of appeals; conservation commissions; comprehensive planning, road advisory or ordinance committees, etc.) must still comply with FOAA's meeting notice and public access rules if they conduct a public proceeding.

We are not sure how this misunderstanding arose; possibly as a result of recent legislation expanding the training requirement to a much wider group of municipal officials.

Currently, on the municipal level the training requirement applies to municipal officers (select board, councilors, plantation assessors); municipal clerks, treasurers, assessors, code enforcement officers, managers, administrators, and deputies for all those positions; planning board members; budget committee members; public access officers; and school board and committee members. 1 M.R.S. § 412.

For more information on all aspects of the FOAA, see MMA Legal Services' Right to Know Information Packet available free to members on our website ([www.memun.org](http://www.memun.org)). (By S.F.P.)

## TOWN MEETING WARRANTS – POSTED vs. PUBLISHED

(Reprinted as revised from the January 2010 *Maine Townsman* "Legal Notes.")

**Question:** We publish our town meeting warrant in our annual town report in addition to posting it around town. Which is the "official" version?

**Answer:** The posted warrant. State law requires that an attested copy of a town meeting warrant be posted in a conspicuous, public place in the town at least seven days before the meeting. 30-A M.R.S. § 2523(4). State law does not require that a warrant be published in the annual report (or anywhere else for that matter).

Many towns, as a matter of custom and convenience to residents, include a copy of the warrant in their annual reports, but this is not the official or legal version – only the posted warrant is. If a discrepancy exists between the posted and the published warrant, the posted warrant controls.

Since annual reports are usually prepared far ahead of the warrant's posting, it is not uncommon for the warrant, if published, to be revised before posting. This is perfectly legal and legitimate and often necessary due to last-minute developments or changed circumstances. Once again, it is the posted warrant that controls.

If the published warrant is altered before posting, it may be advisable for the moderator to point out the

## MUNICIPAL CALENDAR

**APRIL 1** – Status and value of property for property tax assessment purposes is fixed on this date (36 M.R.S. § 502).

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

**APRIL 17 – Patriot's Day**, the third Monday in April, is a legal holiday (4 M.R.S. § 1051).

**ON OR BEFORE APRIL 30** – Deadline for employers required to submit quarterly withholding taxes to file return and remit payment to the State Tax Assessor (36 M.R.S. § 5253).

**BY APRIL 30, 2023** – Biennial Solid Waste and Recycling Municipal Reporting forms are due to the Maine DEP covering calendar years 2021 and 2022. See DEP website for forms (38 M.R.S. § 2133(7)).

changes before the business of the meeting begins. In addition, or in the alternative, copies of the posted warrant may be made available at or prior to the meeting. However, neither of these actions is legally required since the posting of the warrant is the only mandated notice or "warning" of the meeting and its business.

Confusion can also be avoided by including a conspicuous disclaimer on the draft warrant published in the annual report notifying voters that the published version is only a draft and directing voters to check the posted version for final wording.

For more on town meeting warrants, see MMA Legal Services' *Town Meeting & Elections Manual*, available free to members at [www.memun.org](http://www.memun.org). (By R.P.F./S.F.P.)

## FINANCIAL STATEMENT REQUIRED TO BORROW

Since 1991, Maine law has required municipal treasurers to prepare a signed financial statement to "accompany" any question submitted to the "electors" for ratification of revenue bonds or general obligation securities. See 30-A M.R.S. § 5404(1-A) and § 5772(2-A),

respectively. “Electors” likely means the municipality’s legislative body (town meeting or town or city council). MMA Legal Services has long interpreted these statutes to require that the financial statement appear on the town meeting warrant and on any printed ballot submitted to voters, immediately following the text of the article or question that seeks bonding authority.

Note that recently the law regarding *general obligation* bonds was amended to allow the financial statement to be printed either on the ballot or as a separate document “made available” to voters. PL 2019, c. 371. However, we continue to recommend, as a matter of conservative practice, that the statement appear on the warrant and on any referendum election ballot. In this way, there can be no question that the statement was provided to voters (state law provides no guidance on what is required to make the statement “available” to voters).

Moreover, the statute concerning *revenue bonds* continues to require that the financial statement accompany the bond question itself. Given this, inadvertent errors may be avoided by always including the statement on the warrant and any referendum ballot.

It is also the case that many lenders construe the law to require a financial statement accompanying any question involving indebtedness pledging the municipality’s “full faith and credit” (i.e., taxing powers), including mere promissory notes evidencing short-term debt. For that reason, it is prudent to include a financial statement along with any question seeking approval of municipal borrowing generally (other than borrowing in anticipation of taxes, state revenue sharing or state or federal aid, which is exempted under the law). (By S.F.P.)

The law prescribes the contents of these statements. A sample appears below:



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### FINANCIAL STATEMENT

#### MUNICIPALITY OF \_\_\_\_\_

##### 1. Total Municipal Indebtedness

A. Bonds outstanding and unpaid:	\$ _____
B. Bonds authorized and unissued:	\$ _____
C. Bonds to be issued if this question is approved:	\$ _____
TOTAL	\$ _____

##### 2. Costs:

At an estimated maximum interest rate of \_\_\_\_\_%, the estimated costs of this bond issue will be:

( ) Years \_\_\_\_\_

Principal	\$ _____
Interest	\$ _____
Total Debt Service	\$ _____

##### 3. Validity

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Treasurer, Municipality of \_\_\_\_\_

# MAINE MUNICIPAL BOND BANK

## 2023 SPRING BOND ISSUE SCHEDULE

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

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

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

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

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

**Wednesday, February 8<sup>th</sup> - Application Deadline**

**Wednesday, March 15<sup>th</sup> - Application Approval (MMBB Board Meeting)**

**Monday, April 3<sup>rd</sup> - Preliminary opinions and loan agreements due from bond counsel of each borrower**

**Wednesday, April 5<sup>th</sup> - Last date for signing school contracts and rates in place for water district. PUC approvals due**

**Week of April 17<sup>th</sup> - Maine Municipal Bond Bank Pricing**

**Monday, May 8<sup>th</sup> - Final documents due from bond counsel**

**Wednesday, May 17<sup>th</sup> - Pre-closing**

**Thursday, May 18<sup>th</sup> - Closing - Bond proceeds available**

If you would like to participate in or have any questions regarding the 2023 Spring Bond Issue, please contact Toni Reed at [treed@mmbb.com](mailto:treed@mmbb.com) or (207)622-9386 ext. 213.



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