

Maine Town & City

The magazine of the Maine Municipal Association

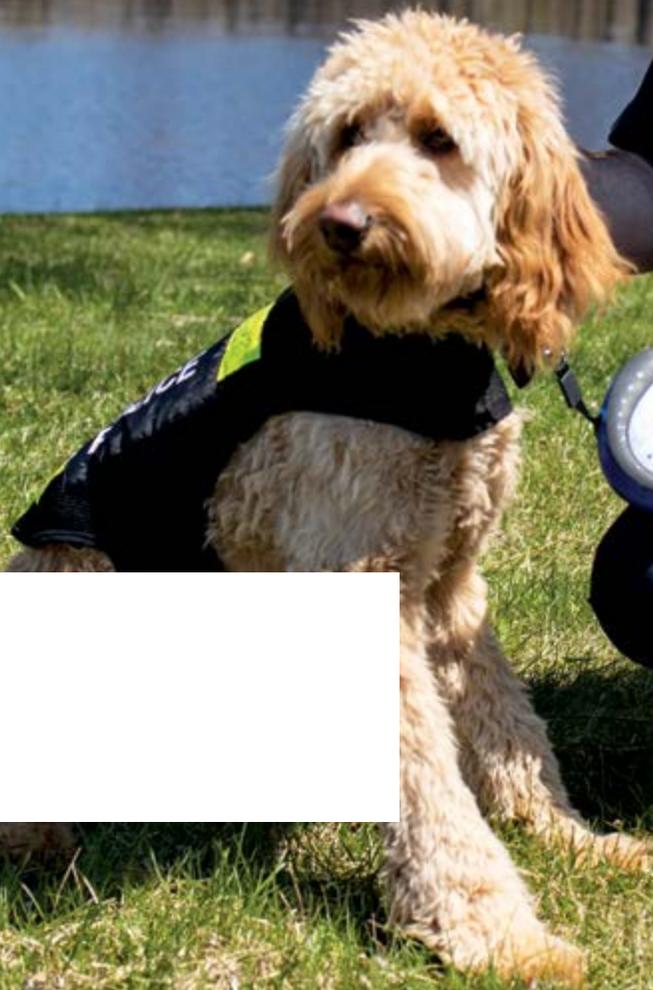
June 2020



MMA EXCLUSIVE: Our Interview with Dr. Nirav Shah

Creature Comfort

Dogs, cats help first responders serve their communities



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MAINE TOWN & CITY (ISSN 2578-4374) is published monthly, except in September, by the Maine Municipal Association, 60 Community Drive, Augusta, Maine 04330. (207) 623-8428. Periodicals postage paid at Augusta, Maine, and at additional mailing offices. All rights reserved. Postmaster send address changes to: Maine Town & City, 60 Community Drive, Augusta, Maine 04330. Information, policies and opinions do not necessarily reflect the views or policies of the Maine Municipal Association. Subscription price: \$15 per year.



Maine Town & City

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Reelin' in the Years



Leaders in Lamoine are using Maine's Bicentennial to preserve, protect and cherish their community's history.

Up Close, with Nirav Shah

The Maine Center for Disease Control and Prevention's director talks about COVID-19 and how municipal leaders can help respond. Page 7

'Comfort' and 'Joy'

Those are two words that first responders use to describe what dogs and cats bring to their workplaces, and to the people they serve. Page 11

Housing Plans Move Ahead

A lack of affordable housing in Maine is an issue that won't go away. We look at how communities small and big approach the problem. Page 15

Maine native Stephen Gove – aka MMA's Executive Director – writes about a junior high field trip and his state's heritage. **Page 5**

LPC Elections: The 70-member Legislative Policy Committee is among the most important bodies at Maine Municipal Association. **Page 6**

ABOUT THE COVER: MMA Website and Social Media Editor Ben Thomas took this photo in Millinocket last month.

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A MESSAGE FROM MMA

BY STEVE W. GOVE / EXECUTIVE DIRECTOR

This Mainer says: Remember, it's our Bicentennial

Maybe it's because of the COVID-19 challenges and longing for more care-free times that I recently recalled a Skowhegan Junior High School spring field trip I took in the late '60s. The field trip was to the Maine State Museum and Statehouse wrapping up a class unit on Maine history. I don't recall much history from that day, but I do remember it was warm, a raucous bus ride with my friends and, most importantly, a day out of town and no classes. A near perfect day for a 13-year-old.

When I stopped reminiscing about that field trip, it dawned on me that perhaps lost in this coronavirus emergency is the fact that this is Maine's Bicentennial. As a proud Mainer, I want to celebrate our 200th birthday as a state despite the challenges that the virus presents. The signature bicentennial events such as the Maine State Parade, Statehood Day and the tall ships visit have been postponed for later this year or next. Go to MMA's website (memun.org) and click on the home page bicentennial banner for more information and updates. Still, our cities and towns have planned a number of local events and activities. They present a wonderful opportunity to learn more about our great state and its history through the local lens.

The Maine Bicentennial Commission has awarded grants to municipalities and community groups across the state. The grants fund local, wide-ranging events and projects like the towns of Danforth and Machiasport featured in last month's Town & City. Caribou plans a storytelling festival, Kennebunkport artists will chalk historic local and state scenes, Hallowell will host a granite symposium, Falmouth is creating a curriculum to showcase a historic map painting of the town, Liberty's library will hold discussion groups about Maine statehood, Limerick is planning a celebratory parade, Gorham will conduct historical bus and town walking tours, Lincoln's Loon

Festival will feature 200 years of Maine, Belfast is displaying photographic banners on public buildings and Dexter is forming a large mural made of tiles created by local children. These are just some municipal efforts. Several other cities and towns are planning bicentennial events with parades, art, music, food, lectures, exhibits and white pine tree plantings. The list of projects is as diverse and interesting as our 487 communities. They all celebrate Maine's character, ingenuity and culture. With all of us staying closer to home over the summer and, probably, fall, what a perfect chance to take part and enjoy a little history.

The coronavirus may have thrown a monkey wrench into the planning and timing of these municipal celebrations of our state's 200th birthday, but it has not up-ended most of them. Congratulations to our cities and towns for honoring and remembering, in their unique ways, Maine's statehood in 1820. And, congratulations to our State of Maine. The show must go on.

It's as wonderful as a spring junior high field trip.



NEW LEGISLATIVE POLICY COMMITTEE ELECTIONS TAKING PLACE THIS SPRING AND SUMMER

Have you ever wondered how the Maine Municipal Association establishes positions on legislation, or how it sets its legislative priorities? Would you like to play a role in that process?

If so, please consider asking your selectboard or town or city council to nominate you. MMA takes its direction on all legislative matters from its Legislative Policy Committee (LPC) which is comprised of 70 members who are municipal officials nominated and elected by their peers. Two members are elected from each of Maine's 35 Senate Districts.

QUALIFICATIONS. The only criterion for being a nominee is that you must be an elected or appointed municipal official (e.g., selectperson, councilor, planning board or board of appeals member, assessor, manager, clerk, treasurer, road commissioner, etc.) from any MMA member municipality within the Senate District for which you are running.

EXPECTATIONS. Meetings are held roughly once per month during legislative session, usually on a Thursday. The newly elected LPC also meets once or twice in the fall to set its two-year legislative priorities. According to its bylaws, the purpose of the LPC is to define municipal interests and to maximize those interests through effective participation in the legislative process.

The deliberations of the LPC are often rich in matters of public policy with a strong focus on the appropriate role, responsibilities and opportunities of local government to advance the interests of the state and its citizens.

LPC meetings are run much like a town meeting and moderated by a Chair, who is the Vice President of the Association's Executive Committee. Members are also called upon from time to time to communicate with their legislators regarding LPC positions; some-times even testifying at the Legislature if schedules permit.

NOMINATIONS. If the idea of serving on the LPC appeals to you, or if you know of somebody in your Senate District who may be interested in being nominated, please talk to your selectboard or council and seek the nomination.

Nomination papers were emailed to the key official (town or city manager or chair of the selectboard) on Monday, June 1 with a return deadline of Monday, July 13. The nomination form must be signed by the Chairman of the Board or Council as well as the nominee (if possible). The nominee should also fill out the Nominee Profile Sheet included in that mailing so that a brief biography can be provided on the ballot which will be sent to all key officials within each Senate District on Wednesday, July 15 with a return deadline of Thursday, August 27.

QUESTIONS. If you have any questions about the LPC or the process by which they are elected, please contact Laura Ellis in MMA's Advocacy Department at 1-800-452-8786 or lellis@memun.org.



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Under the microscope: Q&A with Maine CDC Director Nirav Shah

Dr. Shah took time recently from his high-pressure schedule to interview with MMA about COVID-19, and communicate directly to municipal leaders.

By Eric Conrad, Editor

Nirav Shah has been in Maine for only a year, yet he needs no introduction.

Dr. Shah, an Illinois transplant who heads the Maine Center for Disease Control and Prevention, leads our state's effort to contain and respond to the coronavirus pandemic.

His daily media briefings, command of facts, dry sense of humor and impressive way with names have given Shah a platform – a circus tight rope might provide the better mental picture – resulting in one of the highest public profiles in Maine.

It's no boast to say Shah has taken Maine by storm.

Some 30,000 people "like" the Fans of Nirav Shah Facebook page. When he remembered on Mother's Day to thank his mom, and all Maine moms, from the podium and on social media last month, nurses, hair dressers and mothers throughout the state took notice. Some even swooned. On May 7 his boss, Gov. Janet Mills, posted on her social media page the iconic Superman "S," saying the "S" stood for Shah.

Yet, the perch remains ever precarious. Criticism and second-guessing seem to be increasing as the global pandemic, and government efforts to combat it, drag on. Shah learned during his time as a director in Illinois that good intentions and promising early results only go so far in the public health world.

A few weeks ago, Dr. Shaw – a national scholar who holds both medical and law degrees from the University of Chicago – agreed to a question and



Dr. Nirav Shah

answer session with Maine Town & City magazine, one that would focus on how municipal leaders can make a difference with COVID-19.

Q. Dr. Shaw, you have spent the past four months worrying about "us," the people of Maine, especially about our health. We want to start this interview with a question about you. How are you holding up? Is your family with you here in Maine? How are they? It can't be easy, personally.

A. Thank you for asking. I guess I'd have to say we're doing as well as can be expected during a pandemic. Like so many others, we've had to make big changes in the way we live our lives because of COVID-19. But the fact that Maine people have been so welcoming to us during our first year here has been a great source of support.

Q. Give us a summary of where things stand coronavirus-wise in Maine, including some national context, please.

A. COVID-19 continues to pose a

major public health threat to people throughout Maine and the United States. In our state, Maine CDC continues to confirm new cases every day. Sadly, I often have to start the daily briefing with news of another Maine person's death. Even in parts of the state that have, to date, seen comparatively low case counts, the virus still poses a threat.

It doesn't honor state, local, or national borders, which is why we continue to urge all Maine people to adhere to physical distancing and other personal protection guidelines designed to limit exposure and potential spread of the virus. In the absence of a vaccine, these measures remain our best defense against COVID-19. In Maine and nationally, expanded testing capacity has led to higher daily case counts, in part because we've been more aggressive in testing vulnerable populations. But the expanded testing capacity also has shown that people who are not exhibiting symptoms are carrying the virus, which elevates concerns about community spread.

This is all a long way of saying that, in Maine and nationally, we're still in response mode.

Q. One of the most important roles municipal government plays is employing, funding and supporting first responders, who are the tips of the spear in the fight against COVID-19. Being as specific as possible, how have they performed during this public health emergency? Is there one key message you'd like them to hear straight from you?

A. I have recent personal experience with the great work that first responders are doing. My mother fell at our home and required emergency treatment and transport to a hospital.

Eric Conrad is the editor of Maine Town & City magazine, and director of Communications & Educational Services at MMA, conrad@memun.org.

We will be forever grateful to the local first responders who cared for her and treated her with such dignity and compassion.

On a broader scale, Maine EMS has been a partner with Maine CDC throughout the COVID-19 planning and response process. Those ongoing conversations have led to protocols that offer greater protections to first responders and the people they serve during this pandemic. They are on the front lines, and their observations and experiences provide important insights for infection control, emergency response, and public messaging.

I'm going to cheat and offer two key messages to Maine's first responders: You are essential, and you are valued.

Q. Staying with first responders for a moment, there have been critical shortages with Personal Protective Equipment (PPE), especially N95 masks. How did these happen? What can the State of Maine and our

towns and cities do about it now and in preparation for emergencies to come?

A. The challenges involved in maintaining an adequate supply of personal protective equipment during the COVID-19 pandemic are more related to unprecedented demand than to shortages. Maine CDC's Public Health Emergency Preparedness team has distributed more than 1.7 million items of PPE since March. Hospitals, congregate care facilities, and first responders have received the bulk of those supplies, reflecting the high demand for PPE. Our team has completely tapped existing reserves and worked with federal, private, and Maine University System colleagues to acquire and distribute PPE on an ongoing basis to frontline caregivers. Right now, state and municipal leaders can continue collaborating and innovating to meet those needs.

In terms of preparing for future emergencies, this pandemic high-

lights the importance of planning and preparation. The drills we do matter, and we all need to take them seriously. Consistently funding public health programs is another key element of being prepared for future emergencies. Playing catch-up financially while trying to respond to a public health emergency elevates the risk.

Q. As you no doubt learned quickly, Maine is far different from Illinois. Our biggest city, Portland, has 65,000 residents. The city where you went to medical school, Chicago, has 2.7 million. Yet within Maine, there is tremendous demographic diversity. With COVID-19, that presents challenges. Some rural areas have only a smattering of confirmed cases. Yet Cumberland County has more than 700 confirmed cases, a number still rising at press time. What are the greatest challenges, and assets, that you've encountered as Maine's leading public health expert?

A. I'm going to flip the perspective on this question to focus on how Maine and Illinois are alike. The residents of both states take great pride in their communities and value the sense of place that comes with living where they do. The people of southern Illinois share many common traits with rural Mainers. They work hard, pitch in to support each other during challenging times, and find ingenious ways to keep their communities together.

Likewise, during my time in Maine, I've seen countless examples of people dropping what they were doing to support neighbors in need. So when I



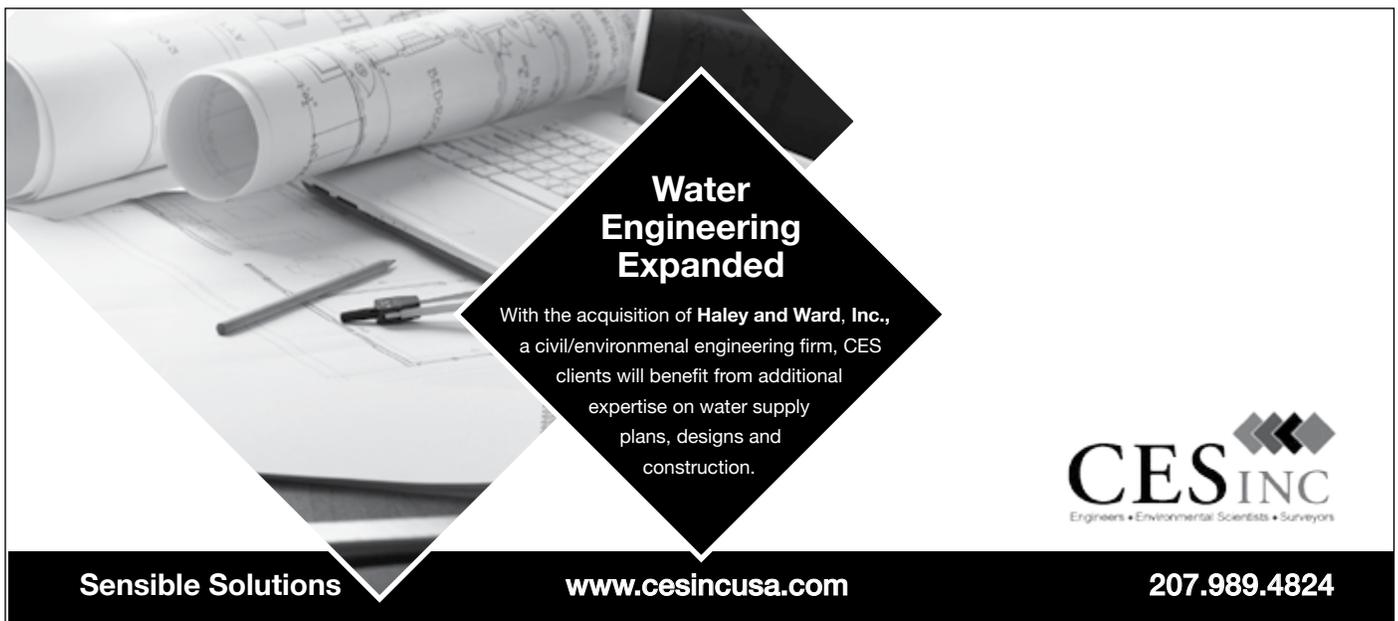
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ask people to show kindness and have each other's backs to meet the challenges posed by COVID-19, that high level of community spirit throughout the state encourages me.

Q. Leadership is a key requirement for municipal elected officials, managers, clerks, department heads and first responders. You seem to possess many leadership qualities, starting with the ability to communicate clearly and concisely. What do you think separates highly effective leaders from the pack? Who are the leaders you looked up to during your life and career?

A. A good leader needs to be a good learner. Ego can't cloud one's judgment when the decisions you make affect many others. Being able to adapt, admit and correct mistakes, work from conflict to collaboration, and, to use a chess analogy, see the whole board and the next five moves, are all attributes of good leadership. Of course, Dr. Anthony Fauci is a public health leader I admire greatly.

Q. Following up, how effective have local leaders been in Maine's battle against COVID-19? Be as candid as you can with us. What more should be done at the municipal level?

A. My perspective on Maine's COVID-19 response and planning has largely focused on statewide issues. With a few exceptions, local leadership has supported our efforts as the statewide response to COVID-19 has evolved. The best advice I can offer would be to continue to communicate root advocacy for your community in the context of a greater common good, avoid regionalism or tribalism, and be open to new partnerships or new ways to offer public services.

Q. We are in June now, the beginning of Maine's economically critical tourism season. In past years, summer in Maine meant packed ocean beaches, kids swimming and playing in summer camps throughout the lakes regions, people eating and drinking in close physical proximity to each other. How can summer-dependent businesses survive, let alone thrive, with the social distancing and masking requirements that we've seen? Tell us that things will get better eventually. Please?

A. Honestly, physical distancing, limits on group gatherings, travel restrictions, and other personal protective measures have helped limit potential spread of the virus in Maine. They are in place with the intent of getting us to a time when Maine

residents and visitors can more easily enjoy all the state has to offer. Maine people have been patient and responsible, and I do believe that their patience and responsibility will eventually be rewarded.

Q. Many experts say humor is an important part of leadership, especially when leading others under stress. We've seen you joke and be teased about your Diet Coke habit, among other things. Is humor just part of who you are, or do you employ it deliberately? And why not Diet Pepsi? Or Poland Spring water?

A. Being able to chuckle in the face of adversity provides balance, which is important at times when the information we share is so often sad or grim. My humor is deliberate in the sense that I am careful not to look for laughs at the expense of others or in ways that could potentially invalidate other people's feelings. If people derive comfort

from teasing me about my beverage choice or my taste in music, we're laughing together, which is a good thing. For the record, I do occasionally drink Poland Spring water. But as for Diet Pepsi: Just, no.

Q. Before you go – a big thank you, Dr. Shah. No matter how this turns out, the efforts of you, your Maine CDC team, medical professionals and first responders across the state are impressive. What final words do you have for the people who the Maine Municipal Association serves – elected officials who receive little to no pay for their work, and their dedicated staffs? Is there one thing, perhaps one tangible step or action, you would like them to take in the months ahead?

A. Thank you for finding innovative and caring ways to serve your communities during these challenging times. ■

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MATT LEHRMAN is a nationally recognized expert on public engagement, organizational collaboration and how to turn conflict into results. He will incorporate the current public health emergency – a stressor, if ever there was one – into his practical approach to problem solving. Hailing from Arizona, Matt has offered several presentations and workshops for the Maine Arts Commission. He will be available after his address for scheduled, individual consultations with municipal leaders.



KRISTY SENATORI is the Executive Director of the Cape Cod Commission, where she leads a process of designing innovative land-use and economic development policies that spans municipal borders. She will speak about the “One Cape Cod” approach in Massachusetts. A law school graduate, Kristy worked in the private sector for several years before joining the Cape Cod Commission in 2008.



LIAM RIORDAN is a professor at the University of Maine in Orono, where he specializes in Early American history. No surprise – he will speak to convention attendees about the 2020 Maine Bicentennial. More specifically, Dr. Riordan will explain the political events and undercurrents in the United States before and during 1820, which led to the birth of our great state.

Look for more details in the Summer editions of the Maine Town & City magazine and on the MMA website: www.memun.org

Comfort animals bring calm to police, dispatchers and public

In Hallowell, a tabby feline named 'Lieutenant Granite' lives at the police station. In Scarborough, police introduce a young, loving dog named Marlea.

By Liz Mockler

The elderly woman walked into the Scarborough Police Department, distressed and panicked after just learning she had lost most of her life's savings to a scammer.

While she waited for an officer who would file the report, she noticed a dog wandering around the dispatch area and asked Chief Robert "Robbie" Moulton if the pup was the new police "comfort" dog she had read about.

The chief confirmed that "Marlea" was indeed the department's newest member. He brought the dog over to the woman.

"The lady leaned over and Marlea went into her arms and kissed the woman's cheek," Moulton said. "At that point the tears streamed down the woman's face and she said that was exactly what she needed."

A growing trend in Maine is bringing "comfort" dogs into municipal police departments. Although not always a certified "therapy" dog, they help calm dispatchers, officers, EMTs, other staff and the public. In announcing last November that Marlea (pronounced "Marley") would be joining the force, Moulton described her as "a cute little bundle of fur."

She is a Bernardoodle that will grow to weigh about 40 pounds. She will live at the station, Moulton said, and likely will be the center of attention. She is friendly with both the staff and members of the public, the latter who are often under stress or distress when they walk into the station.

Marlea got her name from a contest that inspired 1,400 people to submit possible names on a form on the department's Facebook page. A small group of employees reviewed the names and submitted their top picks to the chief.

"When I saw the names, there was one that stood out to me," Moulton said. "The suggestion was Marley and it reminded me of the movie named 'Marley and Me,' which chronicled the crazy life of a young family and how much comfort their dog had provided in difficult times.

"That name spoke to me," the chief said.

Moulton said former Deputy Chief Marla St. Pierre, who had retired last year after 39 years with the department, and fellow resident Leanne Risbara Dehler, were so enthused about the new program they combined efforts "to make this happen at no cost" to the town, Moulton said.

Risbara Dehler offered her help in memory of her parents, while former Deputy Chief St. Pierre was known for "caring about each of our employees and went out of her way to make sure they were OK."

"I knew I had the right name when I recognized that by changing the last letter we could acknowledge the kindness of these ladies: MAR(1a)LEA(nne)," Moulton said. "I am sure that Marlea will prove to be every bit as thoughtful and kind as they both are."



Scarborough Police Chief Robert "Robbie" Moulton with "Marlea"

Staying calm

In Millinocket, Sadie Sue joined the police force last October as a puppy. Police Chief Craig Worster said "she has a long way to go" to become a comfort dog.

"Her temperament seems to be very much aligned with that of a therapy dog," Worster said.

Sadie Sue is a seven-month-old Golden Doodle who spends her day with Town Manager John Davis or Human Resources Director Lori Santerre when the chief is out of town or unusually busy. "They have also developed a very close relationship with Sadie," Worster said.

A comfort dog has a calming effect for all people, even angry men who have been arrested. In one such case, the suspect "was extremely agitated" when Sadie Sue decided to pay him a visit. He was in the booking area and the chief was concerned the puppy could be hurt as he watched her amble toward the man.

"I originally thought she was going to be a target of his anger,"

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



Millinocket Police Chief Craig Worster with the department's comfort dog, Golden Doodle Sadie Sue. (Photo by Officer Elizabeth Jasper)

Worster said. "Instead, he reached down and began patting her head and he focused on her while the officer was able to finish his paperwork."

He added, "The arrestee was still angry over the situation and arrest, but it gave us a break and him a small amount of calm."

Worster also has discovered the

benefit the dog offers to children. She seems able to detect the students who are most anxious or stressed. When officers visit schools, the little dog goes over and leans on a child who is upset.

The chief said Sadie Sue has already discovered a way to communicate with both children and adults. "She likes to lean on them. She has developed her own way to tell people to pet her – she leans on them until they reach down and pet her."

The dog has a "huge calming effect" on people who need comfort or a distraction from their woes.

Sadie Sue helps in many ways. Worster said Millinocket police responded to a call about an elderly woman who refused to return to the hospital for treatment. "After she saw Sadie Sue, she gladly (slid) into the front seat of the cruiser. She held

(Sadie) in her lap until we returned to the hospital with her."

Sadie and the officer escorted the woman back to her room.

"The woman suffered from dementia and I believe that the fuzzy puppy provided her with something that was familiar to her or at least not a threat," Worster said.

"It should be noted that Sadie is a bit bigger now and could not sit in her lap the same way today," Worster added.

Ruling the roost

New Hallowell Police Chief Scott MacMaster was welcomed recently by his five full-time and five part-time officers – and the police station mascot, Lieutenant Granite.

The gray tabby was a kitten when she strolled in one day off the street last year and never left. She is now a year old.

Having "GG" at the station "is another avenue to build rapport" with the public and to keep the officers company, especially now when the station is closed to the public because of the coronavirus outbreak,



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Hallowell Police Chief Scott MacMaster with feline "Lt. Granite"

MacMaster said.

She sleeps on the copier machine at night and does pretty much what cats do: anything she wants.

"She has more work experience and institutional knowledge than I do," MacMaster quipped. "She is constantly commenting on what officers are doing."

"She has many Facebook followers," he added.

In 2017, there were 89.7 million domesticated dogs in the U.S. There were 95.6 million cats.

The new chief, who replaced longtime Chief Eric Nason, said GG did not warm up to him immediately. He wasn't much of a "cat person" until his girlfriend changed that. The couple now have five cats, six dogs and 30 Nigerian miniature goats at their farm in Richmond.

"I think (the city council) asked her to replace (Nason) but she declined," MacMaster laughed, adding, "which I think is more proof that animals are smarter than people."

The lieutenant likes to be called "GG," MacMaster said. She "sniffed me out" on his first day "and wouldn't leave me alone." She smelled his other pet animals, so held back any affection the first day.

When he returned home to his own brood, they seemed resentful as they, too, sniffed the chief. But after a few days, Magnas, Latin for "greatest"; Walter Wright ("Breaking Bad"); Stevie Nicks (Fleetwood Mac); orange tabby Ed Sheeran (a red-headed English singer) and for-

mer barn cat Hal Blood (a Master Maine guide) decided he could stay on the farm.

By the third day on the job, GG decided she liked him too, and was snuggling with the chief in his office chair. He had passed her test and could stay.

GG spends a lot of time in the pump house, the chief said. She lays on the suspended ceiling and will look through cracks to see what the officers are doing.

"It makes the loneliness of isolation" a bit easier to bear, he said.

New airport program

Zachary Briggs, customer experience manager at the Portland International Jetport, said the city started a therapy animal program last September to calm anxious customers and offer a distraction when flights are late or delayed.

It already is considered successful and the program continues to expand, Briggs said. The city worked with the Alliance of Therapy Dogs (www.therapydogs.com/) to imple-

ment the program, which includes seven dogs of all sizes and breeds.

The Alliance provides testing, certification, registration, support and insurance to its members. The annual registration fee is \$30. Therapy dogs work at airports, nursing homes, assisted living facilities, rehab facilities, mental health institutions, schools, hospitals, cancer centers, hospice facilities, college campuses and in patients' home.

In Portland, the dogs are the responsibility of a group of airport volunteers known as "animal ambassadors." In all, there are 22 volunteers who help passengers in myriad ways, including helping them find their way around the airport to recommendations and information about the area.

"Traveling can be stressful with flight delays and mechanical complications. This program offers those that choose an opportunity to escape the stress and interact with one of our animal ambassadors," said Briggs, who has worked at the airport for five years.

"The feedback from passengers has been fantastic and we hope to expand the availability of the animal ambassadors as we transition into the summer season," Briggs said.

The program has been suspended due to COVID-19; the aviation

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sector has nearly collapsed under the weight of the virus. But as soon as it is safe again, the dogs will be back, Briggs said.

“As the jetport continues to grow, programs like these are vital for the jetport to offer the best possible experience to our passengers,” he said.

Among the seven dogs at the jetport include a Portuguese Water Dog and a Leonberger. The dogs appear at media events, where they are the focus rather than the people.

Scarborough Chief Moulton saw first-hand what a difference in mood a comfort dog can offer while visiting a construction firm when the town began to build a new public safety facility.

One of the employees brought “Digger” to work on many days. Moulton watched the dog “meander

from office to office and through conference rooms.”

“I could not help but notice the change in everyone when Digger came in contact with them,” Moulton said. “I thought about the comfort that a dog like Digger could provide. We have people working all hours of every day, so why couldn’t we have a dog that would live at our station and provide comfort to those who need it?”

Millinocket Chief Worster has worked with therapy dogs in the past and saw the impact they have on the morale of the officers and that of crime victims.

“I wanted to provide a source of stress relief to the members of the police department and what I have seen is extremely positive,” Worster said.

Would the chiefs recommend other departments try bringing a comfort dog (or cat) into their stations? They enthusiastically agreed they would.

“I would definitely recommend this to others,” said Moulton of Scarborough. “Marlea has been very well received and has provided much comfort and joy to our employees, as well as the general public at different events and certainly to those coming into our station for help with specific concerns.”

In addition to comfort or therapy animals, there also are service animals specially selected and trained to do work for or perform tasks for people with disabilities, including physical, sensory, psychiatric, intellectual or other mental disability, according to the ADA National Network (<https://adata.org/guide/service-animals-and-emotional-support-animals>). There are currently 500,000 service dogs in the U.S. ■

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As state grays, need for senior affordable housing also rises

The process is complicated, but municipalities such as Hartland and Augusta are finding ways to address housing shortages. Minimizing project debt is a key.

By Betty Adams

A year and a half ago, residents in the Town of Hartland voted 65-6 to acquire the closed Hartland Consolidated School property from the local school district and begin a process that would convert it into apartments affordable for senior citizens.

Kennebec Valley Community Action Program (KVCAP) would develop the project, which includes some relatively unique features: housing of the local library, as well as the Irving Tanning Community Center already operating from the 13-acre site.

"It really is exciting," said Hartland Town Manager Christopher Littlefield last March. "I think it's a unique situation."

Judy Alton, chairman of the Hartland Select Board, who had worked for KVCAP for more than 30 years, had reached out to that agency for development assistance. "I knew they had done housing projects in Fairfield and Skowhegan, and knowing our elderly population, I thought that would be a good idea," she said.

The dedication page in Hartland's 2018 Annual Town Report notes: "This partnership will bring together the elderly (housing), the youth (recreation program), and an educational organization (library) together at one site. The vision of the ITCC board has been the driving force of this project. The goal will be to have a very active 'community center' that is the 'hub' of Hartland."

According to the 2010 census, more than half the 1,782 residents of Hartland were age 65 and older. The town's 2016 Comprehensive plan, prepared

by the Kennebec Valley Council of Governments, notes, "Elderly housing is already at capacity in Hartland (the Hartland Manor has a full waiting list) so there is definitely a need for this in the near term."

The 30 units of affordable housing in Hartland planned for residents 55 and older will be financed partly through a \$14.5 million senior housing bond signed by Gov. Janet Mills last year, according to a January 2020 press release from the Maine State Housing Authority, which does business as MaineHousing.

The process in Hartland, however, is not going as quickly as some people would like. "We had issues with the deed," Littlefield said. Also, the amount of the TIF (tax increment financing) has to go to voters, who previously approved the creation of the development subsidy.

TIFs are crucial for developers of affordable housing.

"It is a process," Alton agreed. "The town bought the school, and then we did a pass-through grant so they could get their housing. It will be funded through Maine State Housing, and once it goes through Maine State Housing, it becomes a private entity," which means it will be taxable. "I think the outcome is going to be wonderful," she added. Alton hopes to see a groundbreaking at least by late summer.

Cara Courchesne, communications coordinator for MaineHousing, said most affordable housing projects begin with market research and a housing needs assessment.

She also noted the availability of a historical tax credit that developers can access if they're adapting and reusing an old school, although she noted that it can be more expensive to bring a

property up to code rather than build something new.

She said the agency is looking for housing solutions that are community-based as well as assisting people who want to purchase homes.

Courchesne said getting funding for affordable housing can be a complicated process, but that communities can work to improve their chances.

Improving the odds

The municipality can do a number of things that would add points to the application, said Courchesne. According to its website: "MaineHousing's allocation of the LIHTC (Low Income Housing Tax Credit) is a competitive process scored through the Qualified Allocation Plan (QAP)." Those points are based on such things as: locating a housing project for older adults in a service center community; having easy access to public transportation; being within walking distance to pharmacies and/or medical services; having management experience, etc.

Courchesne said that the \$3.3 million available in low-income tax credits can translate to a greater amount of capital, depending on the market, "but it's a limited resource."

In the Hartland project aimed at housing senior citizens, for instance, Alton noted, "They're within walking distance to the downtown, restaurants and stores, and the library will be there. All the programs at the ITCC, music, walking programs, Beano, programs for this group of people, and they won't have to leave the building. If it's a nasty day, they can just walk down to the library."

Courchesne said a community could work with a developer to ensure there is a sidewalk with a crosswalk

Betty Adams is a freelance writer from Augusta and regular contributor to *Maine Town & City*, adamshetty00@gmail.com.

nearby. "That is going to make them more competitive."

The application process for aid with affordable housing requires a significant amount of work and resources. Along with a housing needs assessment, there must be an architectural rendering of the project plus evidence of additional capital "to demonstrate that if we allocate tax credits to you, your project will be viable," Courchesne said.

"There's a preapplication process and then an application process. And all of this is challenging enough that it behooves a municipality and a developer to talk with folks at MaineHousing before taking it and running with it."

And with regard to QAP points: "If you're not working with a developer who has a lot of experience with this kind of property development, it is important to talk with MaineHousing," Courchesne said. She noted that federal regulations are involved as well, and that it can be several years between making the application and building.

Courchesne said that the housing bond and the state low-income housing tax credit program that was just passed

requires that some projects be rural.

"Those can be really hard to finance," she said. "Sometimes with all the subsidy in the world we can put in, (just) for the upkeep and paying the debt from it, the rent can be higher than people can afford."

Then there are the requirements to maintain standards and affordability.

"Once you build or renovate something with our financing, you go through an audit to make sure everything's kept up to code, that the housing is safe, that it is not falling down around people and that (rent) has to be at a certain percentage of the

area median income," she said. The affordability covenant is 45 years, and Courchesne said that if the property is sold, the affordability covenant remains.

Maple Street in Augusta

The City of Augusta has seen a number of affordable housing projects. The most recently opened is workforce housing on Maple Street, which began renting units late last year.

"Affordable housing projects are brought to us by a developer or the Augusta Housing Authority," said Matt

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Nazar, director of development services for the City of Augusta. “All of the projects have required a TIF in order to move forward. I believe all have been affordable housing TIFs through Maine State Housing.”

Nazar offered a timeline for the Maple Street apartments, which were proposed by the Augusta Housing Authority: “We started talking to them in late 2017, and they were open and renting units by late 2019,” he said.

He also noted that another affordable housing project has been approved but not yet constructed. Developer Tim Gooch proposed a senior housing complex of more than 40 units, to be known as “Senior Living at the Marketplace,” at 10 Civic Center Drive.

Building in Augusta, a service center community, is worth more quality allocation points than some other locations in the state.

The city has seen several of its former school buildings, including the Cony flatiron building and the former Hodgkins school, converted into senior affordable housing.

Nazar said affordable housing projects generally go through two parallel processes in the city. “There’s the TIF process, which is just a little ahead of the Planning Board and development review.”

The TIF process goes through the City Council along the same basic

mechanism as a Department of Economic and Community Development TIF. City Council approval then allows it to go to MaineHousing.

“The other process is the same as any other building project in the city,” Nazar said. “Staff does a review, sitting down with the developer to go over plans.” Then it goes to the Planning Board for public input, then the Planning Board reviews the public input and the plan, perhaps making modifications.

Once those steps are satisfied, the project meets the standards of the ordinance – it could be approved conditionally, then building permits are issued and it moves forward. Nazar noted that most projects also require state approval.

“Making these projects financially feasible is really, really challenging,” says Greg Payne, director of the Maine Affordable Housing Coalition. “Not just the upfront capital costs – there’s not exactly a ton of resources out there to do that – but once you have a building built, keeping it operating at a modest enough budget can be really challenging.”

Quite a commitment

He noted that requirements for affordable housing TIFs mean that the rent has to be affordable for 45 years. Payne said developers have to include

management and maintenance costs, including keeping the property plowed, and paying local real estate taxes.

“This is where a TIF can be extremely helpful,” Payne said. “A TIF would allow you to pay a reduced amount each year. If the obligation is \$75,000, now the amount that has to be paid in real estate tax is \$40,000. As the project can only take in so much revenue, it’s a matter of managing your expenses, and having a TIF allows you to reduce your annual expenses in a significant way.”

Payne has a dual role, spending half his time doing state and federal advocacy for affordable housing, and the other half developing affordable housing for Avesta Housing, a nonprofit affordable housing provider, which has offices in Portland, and housing projects in both Maine and southern New Hampshire.

In the same round of senior housing bond awards that included Hartland’s project, Avesta Housing won support for a 25-unit senior housing

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project known as Willow Springs, in Farmington. Payne described that as essentially “a Phase II” of the existing Brookside Village development. “It’s likely we won’t actually break ground until next year,” Payne said. “We have to secure additional financing, including grants and loans.”

Last year he was chairman of the board of the National Low Income Housing Coalition. The organization’s “Out of Reach 2019” research paper

indicates that a person would need to earn at least \$19.91 per hour in order to afford a two-bedroom apartment in Maine. The same paper estimates the mean hourly renter wage at \$11.82.

“Maine has a big gap between the income our renters have and the cost of renting a home in Maine,” Payne said.

Courchesne echoed that: “The need for affordable housing in Maine is substantial. One of the reasons Maine faces affordable housing challenges is that

housing costs have outpaced wages. We just don’t have enough quality housing that the average Mainer can afford.”

Payne noted that “Maine has a massive housing need. It’s a relatively old state with more of need for senior housing than other states.”

He recommended some steps for municipalities that want to address the need for affordable housing: “One of the important things is to look at zoning codes and land use laws,” Payne said. “Make sure you’re not artificially suppressing the ability for anybody to create affordable housing in your community.”

He explained, “If 60 percent of the affordable land mass is unavailable because it’s zoned for single-family homes, is there an adequate place to build it in our town? Could people even create affordable housing if they wanted to?”

Payne suggested incentives that towns could offer, including density bonuses, a faster municipal approval process and waived or reduced fees. “Make it more attractive to create hous-




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Jonathan A. Pottle

Jon provides legal services to both public and private sector clients in the areas of environmental law, land use law, municipal law, utilities law, economic development, project development and finance, renewable energy, real estate, timberlands, and natural resources law. Jon’s practice in these areas helps clients with their strategic and tactical planning, day-to-day operations and troubleshooting, project development and financing, real estate and business transactions, municipal and utility district governance, and resolution of related legal disputes, including representation before Maine and Federal Courts as well as Local and State administrative boards and agencies.

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ing there than in a different town,” he advised.

Communities also could identify housing or land that could be sold for less than market price as well as offer some kind of TIF or small grant, which can be critically important.

“The overall thing that a town needs to understand is it’s hard to develop affordable housing because the costs of construction have gone up so much, up more than 25 percent over the last five years,” he said. Payne said the rising costs impact everyone, but particularly developers of affordable housing.

“There’s no way to borrow a whole lot of money, make a mortgage payment and keep those rents low. That’s why you have to look for opportunities to find TIFs, reduced cost land and grants. In the end, you want to be sure you can offer a home that is a lower rent than what you could do if you were borrowing.”

Payne also pointed to the Legislature’s passage of An Act To Create Affordable Workforce and Senior Housing and Preserve Affordable Rural

Housing, which allows tax credits for developers, saying, “It will allow the opportunity to create hundreds of more affordable units each year.”

He said this could be an “opportunity for towns with old schools that are lying fallow (generating), no tax revenue at all. Here’s an opportunity

to get that redeveloped, creating new property tax revenue and addressing a local need.”

He also suggested communities reach out to MaineHousing and to developers, to say, “We have a need; connect us with people who can help us.” ■

PROCESS IN HARTLAND

In this community, a school closed and Hartland had “first refusal” opportunity to the property. Here are the steps it has taken:

1. Reached out to a potential developer.
2. Negotiated memorandum of understanding.
3. Special Town Meeting held (in October 2018) to approve acquisition and deal with developer.
4. Acquired the property.
5. Agreed to host a pass-through Community Development Block Grant.
6. Created purchase/sale agreement.
7. Sold the property to KVCAP.
8. Negotiated remaining terms of TIF/credit enhancement.
9. Held a town meeting (TBD) to finalize TIF and CBDG Grant.

Source: Town of Hartland

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Lamoine gains Bicentennial grant, proceeds with two projects

Writing and acting a living history book, repainting and restoring a century-old theater curtain are two projects being developed by the Lamoine 150 Committee.

By Janine Pineo

“Just part of the scenery” usually means something that is overlooked.

In Lamoine, the town is making sure an actual piece of scenery is preserved for future generations to see and use.

Among the second round of grant recipients that the Maine Bicentennial Commission announced in March was Lamoine, with the town receiving \$2,000 for a pair of projects undertaken by the Lamoine 150 Committee.

Lamoine, as it turns out, also marks its 150th anniversary as a town in 2020. Among the events and projects were two that needed a monetary boost: a history book and a painted stage curtain.

Carol Korty, a member of the Lamoine Grange and chairperson of fundraising for the Grange and Lamoine Community Arts, said \$500 of the bicentennial grant will be added to the fund to restore the stage curtain, which is nearly 100 years old. She said the Maine Humanities Council recently awarded a \$1,000 mini grant for the restoration, which will cost \$3,500 in total.

What exactly is a painted stage curtain?

Back in the day, which would have been between 1890 and 1940, “painted drops” were a thing in town halls, granges, theaters and opera houses in the United States, according to Curtains Without Borders, a Vermont-based restoration company that will do the work on Lamoine’s curtain. These curtains provided a scenic backdrop for speakers and performers alike and were installed as a permanent fixture at



Lamoine’s stage curtain depicts a view of the Marlboro section of town looking toward Mount Desert Island.

their respective venues.

Most of these panels were painted using a water-soluble paint on cotton muslin, according to Curtains Without Borders. Sometimes the work was done by local painters but some were produced by “large scenic studios” in cities, including Boston, New York and Chicago.

Lamoine’s single panel curtain was purchased by the Lamoine Grange and hangs in the Grange building, which is now the leased home of Lamoine Community Arts. The Grange is still active thanks to LCA members joining as Grange members, Korty said, and the shared space “has become pretty much a community center” with events such as Sunday cribbage, blood drives, arts performances and, of course, a monthly Grange meeting with a pot-luck supper.

Korty has combed decades of Grange minutes for more details on how the curtain came to be and how it was refurbished several times previously.

“I have read through the minutes, which are extremely cryptic,” she said. There’s a hint of mystery to the identity of the artist who painted the curtain, as well as whether it’s the exact original scene.

Unrolling history

At eight feet tall and 16 feet wide, Lamoine’s curtain provides a sweeping view of the Marlboro section of town that one can still see today.

“Driving along Route 204 from Town Hall, Partridge Cove Road ends in a T intersection with Seal Point Road to the left and Marlboro Beach Road to the right,” Korty wrote in an email. “It is at that point (that) you can look across the field toward the right to the water and the hills of Mount Desert Island beyond. The foreground of the painting shows the fields of Lamoine. In the middle of the water section is the curve of Catnip Island, creating Raccoon Cove to the right of it.”

Korty said the original work is be-

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



The original Lamoine Grange before 1916 and the Lamoine Grange building today.

lieved to be that of artist Augustus Maxwell Leland, who was born in 1896 in Bar Harbor. While the curtain isn't signed by Leland, Korty said Curtains Without Borders believes the style matches that of two other curtains painted and signed by the artist that done were for Maine Granges in Eastbrook and Salisbury Cove.

The difference is that Lamoine's curtain doesn't have draperies depicted in the painting, specifically tied-back curtains painted on either side of the scene with a valance along the top that makes the picture look as if one is viewing the scene through a window hung with drapes.

Korty thinks that a later restoration by a different artist might have included painting over the drapery. She

said that a Lamoine resident, Marion McFarland, told her that the Grange hired Ellsworth artist Elise Witham to repaint the curtain in 1959 or 1960. Korty was told Witham "made the scene more realistic and natural" but couldn't remember if there had been drapes painted on the curtain.

What Korty knows from the minutes is that after the original 1887 Grange building burned down in 1916, the new Grange was built atop the old foundation in 1918. In May 1922, the Grange voted to write to the O.L. Story Scenic Co. in Boston to inquire about purchasing a painted curtain.

A week later, they received a reply that Story could make the curtain for \$65 and paint it, but asked for the Grange to pick the landscape to be

depicted. A committee was formed, Korty said, and a photograph of the selected site was taken, probably by a Story employee.

According to the Grange minutes, the Story company said the curtain would last 10 to 15 years.

Eighteen years later in 1940, the minutes recorded the "consideration of letter" from Maxwell Leland, the likely artist, about "reconditioning" for the curtain. Half a year later, the minutes noted "\$10 voted towards repair of curtain."

Today, the nearly century-old curtain is still in fair condition, according to the restoration proposal from Curtains Without Borders.

"Lower left corner is ripped," Korty said. "The paint is starting to flake."

The plan is for restoration work to be done in early August, Korty said, although that will depend on the COVID-19 situation in the state. In addition to the restoration, the director of Curtains Without Borders, Christine Hadsel, will give a presentation about the curtain that will be videotaped and available for anyone who wants to watch the presentation.

If restoration work is delayed, Korty said, the plan would be to work on raising more money both in town and through another try for a larger grant with the Maine Humanities Council. "If we can't do it this year, we'll postpone it and do it next summer," she said.

'Not a dry history'

Receiving \$1,500 and the bulk of the bicentennial grant is a history book project for the town.

Cynthia Donaldson, co-chair of the



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Crew at Hitchings Mill, which produced shingles and lumber, circa 1900

Lamoine 150 Committee, said, “It’s not a dry history.”

The book will present the town’s past in 25-year increments, “putting together something kind of fun,” she said.

The writer and researcher of the book is Cynthia’s husband, Gordon, a retired professor of education from Orono.

“It grew out of the fact that there is no established history and I just had an interest,” he said.

Gordon Donaldson started reading through editions of the Ellsworth American newspaper going back to the 1870s. “I read through every week’s edition looking for Lamoine,” he said.

For three years, he has gone to the Ellsworth library, pulling out microfilm and documenting mentions of Lamoine and its residents, although the time of the town’s founding was a challenge. “It wasn’t a lot of local news, period,” he said.

He decided to divide the book

into chapters based on 25-year spans, calling it “a little marker of things.” The book is a look at daily life with a glimpse into what residents were doing when it came to religion, business and education. An example, he said, would be the arrival of automobiles in Lamoine and what changed because of it.

The book is tentatively titled “Lamoine at 150: One Down East Community from 1870 to 2020” and chapters include “Down But By No Means Out: 1920” and “New Faces, New Challenges: 1970.”

Separate ways

The first chapter documents how Lamoine, which previously was called East Trenton, became its own town and separated from Trenton, with Gov. Joshua Chamberlain signing the bill of separation into law in February 1870.

Donaldson writes: “What led to the separation is not clear. Three influences seem to have played a role. First was the sheer difficulty of providing town services over such a large area divided by the Jordan River... Second, East Trenton appears to have been doing

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better economically than West Trenton, thanks to recent decades of prosperity in the off-shore fishery... Third, it appears that West Trenton was developing around a new resource: the road between Ellsworth and Mount Desert Island.”

The amount of contention in the separation is hard to gauge, although a letter to the editor of the Ellsworth American in mid-March of 1870 sug-

gests it wasn't smooth. Donaldson writes: “The separation, it declared, was ‘this wicked thing they have done & christened it Lamoine.’” The writer also called the new town “our foreign neighbors.”

Donaldson said one offshoot of the book had been doing a monthly re-enactment of the source material at the Lamoine Community Arts and Grange building. Much of the news of

Lamoine in the Ellsworth American through the decades was from correspondents who wrote of what had happened that week in their area.

The performances were people who “dressed up and spoke as if we were the columnists,” Donaldson said.

Because of restrictions from the pandemic, those performances are halted for now. Meanwhile, the book is still on track to be printed in August to mark the town's sesquicentennial year.

Or as that letter writer put it in the Ellsworth American 150 years ago: “The agony is over. The Rubicon has been crossed.” ■

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BICENTENNIAL SERIES

Throughout 2020, Maine Town & City will feature articles about municipal efforts to celebrate Maine's 200th birthday, written by freelance writer Janine Pineo. The Maine Municipal Association also wants to highlight your community events at the special Bicentennial area of our website: <https://memun.org/bicentennial>. Please email information about your happenings to: econrad@memun.org. We hope you enjoy our articles and featured website offerings. Let's party.

Eric Conrad, Editor

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4-Port Loop will go virtual this year, and 'on the water' in 2021

By Janine Pineo

Going virtual this year is not an unexpected pivot, given that we're living during a pandemic.

So it goes for the inaugural 4-Port Loop event that was planned as part of the state's bicentennial celebrations in early July.

State Rep. Dick Campbell, organizer of the Loop event for 14 Penobscot River basin communities, and director of the newly established nonprofit Penobscot Maritime Heritage Association, said the focus this year is no longer on-the-water events, because of the uncertainty surrounding restrictions from COVID-19.

However, all is not lost. The group is working on developing an app that will provide people with a virtual tour that can be taken from home or as a guide to individuals visiting historic sites and places of interest in the Loop communities.

Keith Bowden, PMHA treasurer and the one coordinating development of the app, said PMHA has hired a company to develop the product. OnCell is a mobile app and audio tour builder that offers a "storytelling platform for cultural destinations," according to its website.

Bowden said that Castine, which is one of the four ports in the 4-Port Loop, has its own virtual tour via OnCell, which led PMHA to go with OnCell. "That's a known quantity," he said.

The goal in June is to finish collecting submissions of photos and descriptions from as many of the 14 towns as possible to include in the launch of the app. "We're reaching out to various historical societies," Bowden said. "We probably won't get all 14 towns" by launch day.

Dean Martin, executive director of the Friends of Fort Knox, will be provid-



4-PortLoop sign. (Photo by Janine Pineo)

ing the narration for the audio part of the app, Bowden said.

Bowden said he expects the app to grow over the coming years. He is still learning what it can do and how the organization can use it to promote the 4-Port Loop communities, not only for their historic value and as an educational tool but also as a possible boost to businesses.

"This certainly is expandable," he said. "It's pretty amazing."

That would help PMHA fulfill its goal in having a sustainable tourism event, he said.

The app is expected to be available in early July in the Apple App and Google Play stores as well as through 4portloop.oncell.com.

Meanwhile, PMHA has set its sights on July 2021 for the water events that will bring a return of tall ships to the Penobscot River towns. The intent is to continue to work to create community events both water- and land-based and to offer up numerous tourism opportunities. Campbell said the weekly group meeting will likely become monthly for a while as PMHA waits for the ramp up to events next summer. ■



PenobscotNarrows2019. (Photo by Janine Pineo)

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

PEOPLE



Butch Asselin

Oxford Town Manager **Butch Asselin** will end his 45-year municipal government career at year's end. In announcing his plans, he told select board members his wife is eager to have him home and "I will let you know how long that works." Asselin has lots of work to keep him busy through the New Year, especially preparing for municipal elections and the Presidential election in November. Asselin was named Oxford manager in 2017 by unanimous agreement of the select board members. He will finish his third year in December. Previously, Asselin served as Skowhegan police chief from 1997 to 2007, followed by three years as town manager, until he took the Oxford job to be closer to family. Earlier in his career, Asselin worked as Houlton police chief from 2014 to 2017, but was happy to move south to be closer to his family.

Veteran City Clerk **Patti Dubois** has accepted the clerk's job in Maine's capital city of Augusta. Dubois, a Winslow resident, will leave her position as Waterville clerk to take the Augusta job. Dubois has worked as Waterville clerk in two stints. Dubois said she can finally think about a new future and noted that working for Augusta will help her and her two daughters as she prepares for retirement. Dubois left her job in Bangor to be closer to home and her children's activities. Dubois served as Bangor city clerk from 2004 to 2011. Previously, Dubois worked as Waterville public works director and property assessor from 2001 to 2004. Dubois was named Maine City Clerk of the Year in 2012, which recognizes professional and dedicated serve by a municipal clerk. She is well known for mentoring numerous clerks over her career, helping untold new clerks find their footings at their respective town halls and running municipal and state elections. Her first day in Augusta was expected to be June 8.

George "Bud" Finch is the new Limestone town manager. He started work in mid-May and replaces **Elizabeth Dickerson**, who resigned last August to move closer to her family. Finch, who managed

the City of Eastport for 15 years and the Town of Harrison for eight years, was among the candidates recruited in a nationwide search by the Maine Municipal Association. The Limestone Select Board hired Finch at the end of April. Finch, an Eastport native, retired to Florida for just a year before municipal government lured him back to the Maine. During the interim, Town Clerk **Vickie Page** served as acting town manager. Prior to his municipal career, Finch worked as a project engineer for Pratt & Whitney in Connecticut and North Berwick. Acting manager Vickie Page found the town manager's work so satisfying and challenging that she plans to study and earn a degree in municipal government. Page has nearly finished her classes to gain a bachelor's degree in public administration.



Jack Gaudet

Mexico Town Manager **Jack Gaudet** will retire this summer so he can travel and visit his children and grandchildren. Gaudet, who cannot travel right now because of the COVID-19 medical crisis, said he will remain at the town office until his replacement is named. Gaudet was a selectman when he was chosen from a pool of 21 candidates in 2016. He serves as a Mexico firefighter, too. The town accepted applications until May 1 and hoped to whittle the list to a handful by this summer. "We got some applications thanks to the Maine Municipal Association, but we are going to do our own interviewing," the select board chairman told the Sun Journal. The town can afford to wait until they find just the right person. "I told the board I'm not going to leave the town in a situation if they can't find anybody. I could continue," Gaudet told the newspaper. A 36-year veteran of the U.S. Army, Gaudet graduated from the National American University with a bachelor's degree in science. Mexico was the only town Gaudet managed. His prior

work involved data and information management. Much of his other work experience occurred during his military career, including strategic planning, research and analysis.



Chris Greeley

Holden Police Chief **Chris Greeley** runs a popular website and regularly gets messages to residents via a local radio show. Known for giving his cell phone number to residents who ask for it, Greeley said when Gov. Janet Mills imposed a stay-at-home order on March 31, he started to reach out to residents he knows are alone or vulnerable. Greeley, who was promoted to chief in July 2015, knows numerous people in town who have been struggling, from pastors to seniors to widows and people with disabilities. Greeley said he has been welcomed and people are grateful for the contact. He said many people say they are concerned about being alone and isolated, and they worry about getting enough food. He sometimes can connect someone in need with an appropriate area nonprofit group that can help. Greeley will sometimes visit residents in person, usually talking to people separated by a window to keep everyone safe. Some residents were surprised by the chief's outreach, but grateful during such a trying time.

Rookie Selectman **Andrew Vellani** has resigned from the Farmingdale board effective immediately due to a physical condition that has recently worsened, he said in his May 20 letter of resignation. Vellani, who was interested in learning about the town's budget process, contributed to the proposed budget that will be voted on during this year's annual town meeting. Vellani defeated an incumbent last June to win a three-year term. The town will advertise for residents who are interested in completing Vellani's term and the board will choose Vellani's replacement.

If your municipality submits a news item for the [Maine Town & City](#), consider sending a corresponding photo to: [Eric Conrad: econrad@memun.org](mailto:Eric.Conrad@memun.org)

AUBURN

The city has installed two electric vehicle (EV) chargers thanks to a grant from Efficiency Maine. Both stations are located in a public garage in the middle of Auburn's historic commercial district. The project is part of a statewide effort to expand EV use. Efficiency Maine has issued 30 grants to cities and towns, universities, medical facilities, nonprofits, businesses and schools. Under the program, a total of 89 chargers will be installed across Maine to encourage people to buy electric vehicles and reduce the amount of greenhouse gases emitted in Maine. The stations will be located in "gap" areas of Maine where chargers are not presently available. The new chargers also will serve visitors and businesspeople who travel through Maine. State officials and various studies have predicted EVs will become "commonplace" in the new decade. Efficiency Maine awarded Bates College in Lewiston, across the Androscoggin River from Auburn, a grant to install four EVs on campus.

CARIBOU

City employees will share \$40,000 in one-time stimulus pay after the council voted unanimously on May 4 to provide \$500 in gift cards to full-time employees and \$250 in gift cards to part-time workers. The bonus program was made possible by the employees themselves, who saved the city \$200,000 last year, officials said. The money is to show employees they are appreciated, to boost morale at a difficult time and to help them financially during a pandemic that closed the economy in March and just began reopening in May. The stimulus program was opposed by two residents; one thought the money would be better used for infrastructure and the second noted the staff had not been furloughed nor their pay cut during the crisis.

LIVERMORE FALLS

Despite a cost increase, the Livermore Falls Select Board in mid-May voted 3-2 to ink a five-year contract with ecomaine to dispose of the town's single-sort recyclables. Two select board members were absent for the vote. The town has been paying ecomaine \$15 a ton to get rid of its recyclables. The new cost is \$95 a ton – still lower than the \$115-a-ton expected

NEW ON THE WEB www.memun.org

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

Law enforcement unity. The Maine Chiefs of Police Association, Sheriffs Association, Prosecutors Association and Department of Public Safety released a joint statement condemning police brutality and racial discrimination. The statement came after the death of unarmed Minneapolis resident George Floyd, which was captured on video and sparked hundreds of protests.

Wetland protection. The Nature Conservancy seeks proposals for a new round of competitive grants to restore and protect wetlands in Maine. More than \$5.5 million is available. The deadline to apply is 5 p.m. on June 30

Legal Guidance. MMA's Legal Services staff has offered revised guidance on a recent Executive Order from Gov. Janet Mills that involves property tax and excise tax collections and deadlines. The deadlines changed as a result of the COVID-19 public health emergency.

by the board. ecomaine operates the largest single-stream operation in Maine. It was founded in 1976 by four municipalities under a different name and is now owned by 20 municipalities and serves 50 communities. It also handles 25 percent of Maine's solid waste. The new contract with Livermore Falls includes a provision allowing ecomaine to increase the cost by up to seven percent a year. Conversely, if ecomaine can get a better price on recyclables, the town would get a credit.

MACHIAS

Thanks to Machias Savings Bank, the Down East town will soon enjoy fiber optic high-speed internet that will be available to 50 businesses and 30 residences. When bank officials were making plans to string fiber optic wiring to its downtown branch at a cost of \$60,000, they discovered they could widen the loop for \$20,000 more and rope in far more users. The project will be completed by Machias-based Axiom Technologies, an internet service provider. Axiom's president said the new fiber optics will provide the same quality of internet access and speed as New York City and South Korea, as examples. The bank has been planning the project for a year and has offered a \$5,000 grant to help businesses and homeowners connect to the new service. Leaders of both companies said the COVID-19 pandemic has highlighted the need for fast internet; by the end of May, an estimated 50 percent of Maine workers were doing their jobs from home. That option is

not available in the parts of Maine where high-speed internet is still only a goal.

WELLS

The National Oceanic and Atmospheric Administration (NOAA) will provide \$2 million in grant money for eight New England projects meant to boost seafood. Of the eight projects includes a University of Maine lobster survival project. The second will be awarded to the Wells National Estuarine Research Reserve to establish a fishery where green crabs can be grown and studied. Invasive to Maine waters, green crabs threaten more lucrative species, such as clams. ■

The Maine Municipal Association (MMA) is a voluntary membership organization offering an array of professional services to municipalities and other local governmental entities in Maine. MMA's services include advocacy, education and information, professional legal and personnel advisory services, and group insurance self-funded programs.

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

MUNICIPAL BULLETIN BOARD

PLEASE NOTE

Due to uncertainty caused by the coronavirus outbreak, we are promoting selected events, but they are subject to change. Please view our website (www.memun.org) for updates and details. Thank you for your patience.

JULY 9 ZOOM WEBINAR Legalities and Use of Aerial Drones

Dan LeClair, Director of UAS Education & Research at the University of Maine at Augusta, and Michael Stultz, an attorney with MMA's Legal Services Department, will lead a Zoom video webinar on the legalities surrounding the use of aerial drones on July 9. The webinar will run from 2 p.m. to 4 p.m.

Once a novelty, drones are now used for many purposes, including marketing of events and locations, surveying crops, search and rescue and inspections and surveys. This webinar will explore what municipalities can, and cannot, do about aerial drone use in your own backyards.

The webinar is offered on a complimentary basis to MMA members.

July 14 MMTCTA's I've Got the Job – What Now? Augusta

The Maine Municipal Tax Collectors' and Treasurers' Association will hold this popular course at the MMA Conference Center in Augusta, on July 14. It addresses many aspects of being a tax collector and treasurer, including the nature of the position, duties, dealing with delinquent property taxes – and more.

Stu Marckoon, treasurer in the Town of Lamoine, is the instructor. The program opens with registration at 8:30 a.m. It will conclude at 3:30 p.m. Cost is \$55 for MMTCTA members and \$85 for non-members.

JULY 16-17 ZOOM WEBINAR Verbal Judo

One of MMA's most popular programs – Verbal Judo: Tactical Communications for the Contact Professional – returns on July 16-17, as a Zoom webinar that will be split and held over a two-day period. The webinar will be led by Joel Francis, National Director/Trainer for the Verbal Judo Insti-

tute. It will run from 9 a.m. to 1 p.m. both days. This is a single course that will be split into halves and held over two days. Attendees should participate both days.

Boiled down, Verbal Judo teaches employees who have contact with the public how to calm difficult people who may be acting out of emotional stress or other influences. Cost is \$100 for MMA members and \$200 for non-members.

JULY 30 Planning Board/Boards of Appeal: Houlton

Attorneys from MMA's Legal Services Department will host a session for local Planning Board and land use Boards of Appeal members from 4 p.m. to 8:30 p.m. on July 30 at the Houlton Fire Station on Military Street. (Depending on attendance and early registration, this course may be held via Zoom.)

The workshop is designed as an introduction for new or less experienced members, but veteran board members may find an update useful as well. Among the topics to be covered: jurisdictional issues; public notice requirements; site visits; procedure for decisions; and, variances. The cost is \$65 for MMA members and \$130 for non-members. ■

Ten Valuable Training Videos ▶▶

THE MAINE MUNICIPAL ASSOCIATION is steadily building its general-interest video training library. We now offer ten videos, from topics that range from tips for newly elected officials to moderating town meetings.

1. A video replay of our recent, successful Zoom webinar on "Budgeting in Uncertain Times." (Password required)
2. A step-by-step Power Point presentation from MMA's Legal Services Department for Elected Officials. (Password required)
3. A Power Point presentation from Legal Services for Planning Board and Boards of Appeal Members. (Password required)
4. Ten Tips for Newly Elected Officials
5. Maine's Marijuana Laws: Municipal Opt-in
6. Social Media Guidance for Municipalities
7. Writing Effective Media Releases
8. Moderating Town Meetings
9. Your Vote Counts
10. The Challenge of Municipal Leadership

To watch any of these videos, go to <https://memun.org/Training-Resources>
Some of the videos require Member Area passwords.
If you need a password to access the Member Area of MMA's website, please call the Resource Center at: 1-800-452-8786



MAINE MUNICIPAL ASSOCIATION 60 COMMUNITY DR., AUGUSTA, ME 04330 • 207-623-8428

LEGAL NOTES

ALL-REFERENDUM VOTING: ALREADY AN OPTION IF...

Question: Historically our town elects municipal officers by secret ballot election (with nomination papers, pre-printed ballots, polling hours, absentee voting, etc.). But we conduct all other business by traditional “open” town meeting. Can we conduct other business by secret ballot referendum election instead if the voters have not specifically authorized us to do so?

Answer: If you elect municipal officers by secret ballot election, the voters presumably have already accepted the secret ballot provisions of 30-A M.R.S. § 2528 since that is the only way, absent a municipal charter, that local secret ballot elections can lawfully be conducted.

And if the voters have accepted the provisions of 30-A M.R.S. § 2528, they have already effectively authorized the municipal officers, in their discretion, to call a secret ballot referendum election for any or all other question(s) of their choosing, regardless of historical practice. This authority is conferred on them by § 2528(5), which grants the municipal officers broad discretion to determine if and when a referendum election should be held in lieu of a traditional open town meeting on any matter.

Only a municipal charter could either require that all business be conducted by secret ballot referendum election or prohibit the conduct of specified business by referendum election (see *Blanchet v. Town of Waldoboro*, Mem-11-605 (Aug. 16, 2012)).

There are of course certain political risks in deciding matters by referendum election as opposed to a traditional town meeting. The most obvious are the absence of any opportunity for contemporaneous debate or amendment of the proposal – a ballot question demands either a yes or no vote on the proposition as presented, without discussion. So a budget, for example, could be defeated in whole or in part, with no alternative but another vote unless, by charter, there is some “default” budgetary or spending authority (there is no such authority under State law).

On the other hand, voting is more convenient in a secret ballot election, and as a result, voter turnout is usually much higher. A secret ballot election is thus arguably a more accurate gauge of the

MUNICIPAL CALENDAR

JULY 4 — Independence Day — A legal holiday (4 M.R.S. §1051).

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

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

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

voters’ collective sentiments.

Then, too, there may be circumstances (case in point: the current COVID-19 pandemic) where a traditional open town meeting simply cannot safely or lawfully be held and a secret ballot election is the only feasible alternative for conducting legislative or budgetary business.

For the record, we should note that a secret ballot election is subject to a variety of legal requirements that a traditional open town meeting is not. A filing deadline for ballot questions, a prior public hearing, pre-printed ballots, absentee ballots, and specified polling hours are just a few examples. For details and sample forms, see MMA’s *Town Meeting & Elections Manual*, available free to members at www.memun.org.

But bottom line: If you already elect municipal officers by secret ballot, they already have the legal authority to call a secret ballot referendum election on any matter. (By R.P.F.)

ARE ROAD COMMISSIONERS REQUIRED BY MAINE LAW?

Question: Does State law require municipalities to have a road commissioner?

Answer: Yes, it does, unless otherwise provided by charter. But a municipality has three alternatives for meeting this requirement: (1) it may elect one or more road commissioners; (2) it may authorize the selectmen to appoint a road commissioner; or (3) it may designate the board of selectmen to serve as the board of road commissioners (see 30-A M.R.S. § 2526(7)).

A municipality must, at a meeting of its legislative body (town meeting or town or city council), make an initial choice of one of these three options and also the

term of office, which cannot exceed three years. Once made, this choice stands until revoked at a meeting held at least 90 days before the next annual meeting.

Whether a road commissioner is elected or appointed, and whether there is one or more, there are no special training requirements and only three legal qualifications: a resident of Maine, at least 18 years of age, and a U.S. citizen (see 30-A M.R.S. § 2526(3)). Compensation for road commissioners is determined annually by the municipal legislative body (see 23 M.R.S. § 2701).

The powers and duties of road commissioner are spelled out in 23 M.R.S. §§ 2701-2705 and include, among other things, the duty to conduct regular inspections of town roads and to account for expenditures monthly to the selectmen and yearly in the annual town report. A road commissioner, whether elected or appointed, is subject to the direction and control of a majority of the selectmen, both as to expenditures and as to the maintenance and repair of roads generally (see 23 M.R.S. § 2701).

If the annual budget appropriated to repair and maintain the roads (including plowing) is insufficient, the road commissioner may, with the written consent of the selectmen, exceed that budget by up to 15% (see 23 M.R.S. § 2705).

Where the board of selectmen also serve as the board of road commissioners, it is not uncommon for one member to be given primary responsibility for day-to-day management of roads. This informal arrangement is perfectly okay provided all executive decisions (such as contracting and disbursements) are made by a majority of the board at a properly called public meeting. In our view, however, a

LEGAL NOTES

single selectman cannot serve as the only road commissioner because doing so would be legally incompatible with the power of the selectmen to direct and control the road commissioner (see above).

An appointed road commissioner can be removed from office for cause, after notice and hearing (see 30-A M.R.S. § 2526(7)(B)). But an elected road commissioner can be removed only if the municipality has adopted an applicable recall procedure by charter or ordinance (see 30-A M.R.S. § 2602(6)).

For more on road commissioners, see MMA's *Roads Manual*, available free to members at www.memun.org.

For more on which municipal officials are required by law, see "Municipal Officials Required by Statute," *Maine Townsman*, Legal Notes, June 1999, which was updated in May 2018 and is now included in Appendix 1 of MMA's *Town Meeting & Elections Manual*, also available free to members at www.memun.org. (By R.P.F.)

TWO-PART TOWN MEETINGS & THE FOURTEEN-DAY RULE

Question: We've heard about a 14-day rule for two-part town meetings. Can you explain?

Answer: Yes, for two-part or "bifurcated" town meetings, where secret ballot elections are held on one day and a traditional "open" town meeting for other business is held on another day, State law requires the date of the second part to be within 14 days of the first part (see 30-A M.R.S. § 2528(3)(A)). In other words, the two halves of a bifurcated town meeting must be held within two weeks of one another. The purpose of this rule presumably is to ensure that a warrant calling a bifurcated town meeting doesn't go "stale" with respect to the second part.

We should note that this 14-day rule applies only where a two-part town meeting is called by one warrant. If, for some reason (such as the current COVID-19 pandemic and the Governor's executive orders limiting crowd size), it is not feasible to hold a traditional "open" town meeting within 14 days following a secret ballot election, the open meeting can be called for a later date by a separate warrant. There is no statutory maximum time limit between a secret ballot election and an open town meeting called by separate warrants.

We should also note that State law allows a town meeting to be held outside the corporate limits of the town if the municipal officers (selectmen or councilors) determine that there is no adequate facility for the meeting within the town (see 30-A M.R.S. § 2524(6)). (Again, this may be especially relevant given the present pandemic and the Governor's orders.) The alternative location must be (1) within an adjoining or nearby municipality, (2) no more than 25 miles from the town holding the meeting, and (3) reasonably accessible to all voters of the town.

For much more on calling and conducting both secret ballot elections and traditional open town meetings, including numerous sample forms, see MMA's *Town Meeting & Elections Manual*, available free to members at www.memun.org. (By R.P.F.)

VOTING BY NON-RESIDENTS

(from the December 2003 *Maine Townsman* Legal Notes)

Question: Because non-residents own property and pay taxes in our community too, it seems only fair to allow them to vote in local elections. Is this permissible?

Answer: No, only persons registered

to vote in the municipality may vote in municipal elections or at town meetings – property ownership and taxpayer status have nothing to do with eligibility to vote. Furthermore, there is no "home rule" authority to waive this requirement.

According to 30-A M.R.S. § 2501(3), "the qualifications for voting in a municipal election conducted under this Title are governed *solely* by Title 21-A, section 111" (emphasis added). In order to vote in a municipal election, 21-A M.R.S. § 111(4) states that a person "must be registered to vote in that municipality." And to register to vote in that municipality, a person must be a U.S. citizen, at least 18 years of age, and a resident of that municipality (see 21-A M.R.S. § 111(1), (2), and (3)).

A person's voting residence is "that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return" (21-A M.R.S. § 112(1)). Without reiterating all of them here, a variety of factors, including the person's sworn statement of intent, the location of any current dwelling, and the place where any motor vehicle is registered, may be considered by a registrar of voters in determining that person's residence (see 21-A M.R.S. § 112(1)(A)).

Needless to say, perhaps, a person can have only one residence and be registered to vote in only one place at any one time. Therefore, a seasonal or part-time resident whose principal domicile remains elsewhere and who is registered to vote in that place is ineligible to register to vote in your municipality, regardless of property ownership or taxpayer status. (By R.P.F.) ■

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www.memun.org



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Maine Municipal Bond Bank

2020 FALL BOND ISSUE SCHEDULE

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

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

Tuesday, August 4th

Application Deadline.

Tuesday, August 25th

Application approval (Board Meeting).

Thursday, September 10th

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

Friday, September 11th

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

Week of October 5th

Maine Municipal Bond Bank Pricing.

Wednesday, October 14th

Final documents due from bond counsel.

Wednesday, October 28th

Pre-Closing.

Thursday, October 29th

Closing - Bond Proceeds Available (1:00 PM).

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

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

If you would like to participate in or have any questions regarding the 2020 Fall Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 or tir@mmbb.com.



Work with the **employment team**
that understands **your community.**



Matt Tarasevich



Linda D. McGill



Ann Freeman

Meet the Municipal Labor and Employment Team. We offer more than just legal advice. We partner with you at the bargaining table and beyond - providing counsel, guidance and support on labor negotiations and strategy, as well as new laws and regulations. Protecting your interests is our business.

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bernsteinshur.com/municipal-governmental-services